FILE COPY
CLERK OF COURTS

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA
FAMILY COURT

DEANNA H AAL, Petitioner,	§	
v.	§	CIVIL ACTION FILE NO. 2018CV310972
SHAMEL HANAFI, Respondent.	§	

CERTIFICATE OF SERVICE

This is to certify that I have this day served the counsel for Petitioner with a copy of the foregoing *Objection to Request for Registration of Child Custody Determination and Request for Hearing Pursuant to O.C.G.A. § 19-9-85* by Statutory Electronic Service to: mec@cauthornnohr.com and jcs@cauthornnohr.com and by depositing a copy of same in the United States Mail, with sufficient postage affixed thereon to ensure proper delivery of same, addressed as follows:

Marijane E. Cauthorn, Esq.
Jennifer C. Suggs, Esq.
Cauthorn Nohr & Owen
212 Church Street
Marietta, GA 30060

This 26th day of October, 2018.

ANGELA M. KINLEY, P.C.

ANGELA M. KINLEY
Attorney for Respondent
Georgia State Bar No. 159097

3400 Peachtree Road NE
Suite 1011
Atlanta, GA 30326
(404) 784-7186
angela@kinleylaw.com

6.

Respondent shows that he never received any notice of any proceedings regarding child custody or support filed by Petitioner in Egypt and furthermore, that at the time Petitioner alleged to have perfected service on Respondent in Egypt, Respondent can conclusively prove that he was not in Egypt and was not capable of receiving personal service of any legal documents.

7.

Respondent shows that Petitioner further perpetrated fraud on the court in obtaining the order sought to be registered by the Request in violating 18 U.S.C. 1204 and retaining the Child in Egypt despite numerous demands by Respondent that Petitioner return the Child to the United States and subsequently filing a custody action in an Egyptian court, seeking sole custody of the Child without informing the Egyptian court of her unlawful conduct in obtaining and retaining physical custody of the Child outside of the United States.

8.

Respondent shows that the order sought to be registered by the Request awards sole legal and physical custody of the Child to Petitioner and grants no parental rights, whatsoever, of the Child to Respondent and that such denial is contrary to the best interest of the child standard applied by this Court in making child custody determinations pursuant to O.C.G.A. § 19-9-3 as there is no evidence that the Egyptian court gave any consideration to the factors set forth therein.

States. Accordingly, there is no comity between Egypt and the United States of America upon which to base recognition of a judgment entered by an Egyptian court.

11.

Respondent shows that Egyptian courts apply specific Sharia law to child custody cases which favor custody in the mother and create a presumption in favor of the mother. Accordingly, courts in the United States of America have previously refused to treat Egypt as a "state" for purposes of the Uniform Child Custody Jurisdiction and Enforcement Act and have found that Egyptian courts have no child custody jurisdiction as there is "clear and convincing evidence that Egyptian child custody laws violate fundamental principles of human rights."

13.

Respondent shows the Request should be denied as the terms of the order sought to be registered are substantively incompatible with Georgia laws regarding child custody and fail to promote the best interest of the Child. Additionally, Respondent shows that the Request should be denied pursuant to O.C.G.A. § 19-9-85 because the Egyptian court did not have jurisdiction over the Respondent or the subject matter of the child custody action and Respondent was not served properly with notice of the child custody proceedings in Egypt. Moreover, Respondent was not afforded a proper opportunity to be heard, said proceedings were tainted with fraud perpetrated by Petitioner herein, and the judgment rendered in said proceedings offends public policies established by the courts of the State of Georgia and United States of America.

United States Department of State

Washington, D.C. 20520

March 15, 2017

Shamel Hanafi
3116 Walton Way
Atlanta, Georgia 30076

Dear Mr. Hanafi:

I am writing in response to our telephone conversation of March 13, 2017, regarding your child, Karma Hanafi, who has been abducted to Egypt. I am the Country Officer in the Office of Children's Issues responsible for outgoing cases of international parental child abduction to Egypt. The U.S. Department of State places a high priority on the welfare of children who have been victims of international parental child abduction.

To assist you during this difficult time please see the additional resources provided online at: http://travel.state.gov/content/childabduction/english/from.html. There is a great deal of information available on this site specifically for parents in your situation. As we discussed, we will enter your child's information into the Children's Passport Issuance Alert Program (CPIAP). For more information visit: http://travel.state.gov/content/childabduction/english/preventing/passport-issuance-alert-program.html.

As we discussed, Egypt is not partnered with the United States under the 1980 Hague Convention on the Civil Aspects of International Child Abduction (Hague Abduction Convention). Thus, the Hague Abduction Convention is not an available mechanism to facilitate Karma's return. However, there are other possible remedies at your disposal. Please consider seeking legal guidance from attorneys in the United States and Egypt before making any decisions about how to proceed.

One option you may wish to consider is filing for a custody order in the United States, and then seeking recognition of the order in an Egyptian court. Please note that U.S. court orders are not automatically valid and enforceable in other countries, and Egypt is under no obligation to give legal effect to a custody decree issued by a U.S. court.

A second option available is to file for custody directly in an Egyptian court. You may be required to retain an attorney in Egypt. Please also note that pursuing legal custody in Egypt does not guarantee a favorable judgment.

A third option available is to consider consulting with law enforcement authorities about whether criminal remedies may be applicable in your circumstances. We can assist you with communicating with law enforcement, should you decide to pursue criminal warrants against your child's mother.

As a first step to any of the above options, you may wish to file a missing persons report with your local law enforcement agency and have them follow up with a National Crime Information Center (NCIC) entry. These actions do not necessarily have any implications for your child's mother, but will serve to document your child's abduction, and may assist in locating Karma should she cross U.S. or international borders at some point.

Please consult with your attorney before making any decisions to ensure you are fully informed about your legal options and the possible ramifications of any action you are considering.

By law, U.S. Embassy and Department staff cannot act as a legal agent, nor can they take custody of U.S. citizen children. Nonetheless, we will provide you with all appropriate assistance and as much information as we can so that you can make well-informed decisions throughout this process.

Attached is a Privacy Act Waiver for you to complete, which allows our office to discuss your child's case with individuals or entities you specify on the waiver. Please return the Privacy Act Waiver to me at your earliest convenience. Please note that if you check "yes" for individual members of Congress and their staff, we will notify your congressional representatives of your report of your child's abduction. **Also, please include a copy of your photo identification, copies of your child's birth certificate, and copies of all court orders related to your child.** Please send items to the attention of Patricia Hickey. You can send the documents to me by email to avoid delivery delays.

If you have any further questions, please do not hesitate to call me at 202-485-6082 or e-mail me at HickeyPK@State.gov.

Sincerely,

Patricia K. Hickey

Patricia K. Hickey
Office of Children's Issues

Sam Hanafy
Cell: 470-272-6555
3116 Roswell Rd.
GA .30076

July 19th. 2018

Chief Rusty Grant
Chief of Police
City of Roswell Police Department
39 Hill Street
Roswell, Atlanta
GA, 30075

SUBJECT: Child Karma Shamel Hanafy International Parental Child Abduction

CASE NUMBER: # 1704-000206

Distribution List :

U.S. Department of Justice

Federal Attorney General Office

950 Pennsylvania Avenue, NW
Washingtons, DC 20530-0001

State of Georgia

Office of the Attorney General
40 Capitol Square, SW
Atlanta, Ga 30334

FBI Headquarters

935 Pennsylvania Avenue, NW
Washington, D.C. 20535-0001
(202) 324-3000

Atlanta, GA

2635 Century Parkway NE
Suite 400
Atlanta, GA 30345
atlanta.fbi.gov
Phone: (404) 679-9000

By Electronic Mail

Office of Child Abduction
Washington, DC

U.S. Department Of State
NCMEC

Name: Sam HANAFY

Signature :

Date: July 19th. 2018

FILED IN OFFICE
FEB 27 2019
DEPUTY CLERK SUPERIOR COURT
FULTON COUNTY, GA

United States Department of State

Washington, D.C. 20520

October 12, 2017

Mr. Shamel Hanafi
3116 Walton Way
Atlanta, GA 30076

Dear Mr. Hanafi:

Our records reflect that in March, 2017 you contacted our office to report that your daughter, Karma Hanafi, had been wrongfully removed to Egypt by her mother, Deanna Aal in July of 2016. Based on the information you provided, our office opened a report of abduction on behalf of your daughter on March 13, 2017. Your child was also entered into CPIAP; the case number is 1570354 for your reference.

Since March 2017, you have discussed with our office your efforts to hire an attorney and contact law enforcement to have your daughter entered into National Crime Information Center (NCIC) as a missing person. As our office has previously mentioned, inclusion of your daughter in the NCIC will serve to document your child's abduction, and may assist in locating Karma should she cross U.S. or international borders at some point.

If you need any assistance, or have any questions concerning your case, you may contact me at phone number 888-407-4747 or by email at MiddleEastIPCA@state.gov.

Sincerely,

Kelly C. Landry
Office of Children's Issues

CONSULATE OF
THE ARAB REPUBLIC OF EGYPT
WASHINGTON, D.C.

Seen for the legalization of the signature of the U.S. Secretary of State and of the seal of U.S. Department of State without any responsibility on the part of the authorities of the Arab Republic of Egypt as to the contents.

Legalization Number
Fee
Date 5 SEP
Consul

FILED IN OFFICE
FEB 27 2019
DEPUTY CLERK SUPERIOR COURT
FULTON COUNTY, GA

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA
FAMILY COURT

DEANNA H AAL,
Petitioner,

v.

SHAMEL HANAFI,
Respondent.

§ CIVIL ACTION FILE NO. 2018CV310972

ORDER DENYING REQUEST FOR REGISTRATION OF CHILD CUSTODY DETERMINATION

The above-styled matter came before this Court for a hearing pursuant to *Respondent's Objection to Request for Registration of Child Custody Determination* pursuant to O.C.G.A. §§ 19-9-85(c)(2) and 19-9-85(d) on January 15, 2019. Present for said hearing were the following: DEANNA H AAL, Petitioner, JENNIFER C. SUGGS and MARIJANE E. CAUTHORN, Counsel for Petitioner, SHAMEL HANAFI, Respondent, and ANGELA M. KINLEY, Counsel for Respondent. After reviewing evidence and testimony of both parties, hearing argument of counsel and considering all matters of record, the Court makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1.

Petitioner filed her *Request for Registration of Child Custody Determination* (hereinafter referred to as the "Request") on October 16, 2018 and Respondent was properly served with process pursuant to the Affidavit of Process Server filed on October 16, 2018.

2.

Pursuant to O.C.G.A. §§ 19-9-85(c)(2) and 19-9-85(d), Respondent timely filed his objection to the Request and requested a hearing to contest the validity of the Request.

3.

The Court finds that the parties were previously married and are parents of one (1) minor child, to wit: K.S.H., a female child, birth year 2012 (hereinafter referred to as the "Child"). The Court finds that the Child is a citizen of the United States as set forth on the Child's birth certificate which was admitted into evidence.

4.

The Court finds that the issuing court of the documents sought to be registered by Petitioner did not have personal jurisdiction or subject matter jurisdiction of the child custody matter, as contemplated by O.C.G.A. § 19-9-85(d)(1). The Court finds that Respondent was not a resident of Egypt nor did Respondent maintain any domicile in Egypt at the time Petitioner herein filed the child custody action in Egypt, that at the time of filing of the child custody action in Egypt, Respondent was a resident of Fulton County, Georgia and that Petitioner was aware of Respondent's physical address and domicile in the United States of America. Finally, the Court finds that Respondent did not waive or consent to the jurisdiction of the Egyptian courts for the purpose of the custody action filed by Petitioner.

5.

The Court finds that Respondent herein was entitled to notice of the child custody proceedings sought to be registered by Petitioner, but that notice was not given in accordance with the standards of O.C.G.A. § 19-9-47 before the court that issued the order for which registration is sought, as contemplated by O.C.G.A. § 19-9-85(d)(3). The Court finds that Respondent was not served with process in a manner reasonably calculated to give actual notice of the Egyptian custody proceedings.

6.

The Court further finds that Petitioner herein was represented by counsel regarding the proceedings for child custody in Egypt and by counsel regarding an action for child custody which was pending in the Superior Court of Fulton County, to wit: *Shamel Hanafi v. Deanna Hussein Aal*, Civil Action File No. 2017CV288779, at the time of filing of Petitioner's proceedings for child custody in Egypt, and that despite being represented by counsel in both actions, neither attorney made any effort to provide any courtesy copy of the Egyptian pleadings to Respondent or Respondent's counsel in the Fulton County custody action.

CONCLUSIONS OF LAW

The Court hereby **DENIES** the Request for Registration of Child Custody Determination pursuant to O.C.G.A. §§ 19-9-85(d)(1) and 19-9-85(d)(3) based on its findings that the issuing court for the documents sought to be registered did not have personal jurisdiction over the Respondent nor subject matter jurisdiction of the child custody action and, further, Respondent was not served properly with notice of the child custody proceedings in Egypt. Accordingly, the Egyptian child custody orders sought to

be registered by Petitioner in the above-styled matter are denied registration and are not subject to enforcement by the Court.

SO ORDERED this 27th day of February, 2019, *nunc pro tunc*, January 15, 2019.

HONORABLE BELINDA E. EDWARDS
Fulton County Superior Court
Family Division

Prepared by:
Angela M. Kinley
Attorney for Respondent
Georgia State Bar No. 159097
3400 Peachtree Road NE
Suite 1011
Atlanta, Georgia 30326
(404) 784-7186
angela@kinleylaw.com

CONSULATE OF
THE ARAB REPUBLIC OF
EGYPT
WASHINGTON, D.C.
Seen for the legalization of the signature of the U.S. Public Entry of State and of the seal/stamp of the Department of State without any responsibility as to the part of the authorities of the Arab Republic of Egypt as to the contents.
55

State of Georgia, County of Fulton
I certify that this is a true and correct copy
of a document in the possession of
Shamed Hanafi
Dated 3/1/19
Notary Public James C. Saunders

JAMES C. SAUNDERS NOTARY PUBLIC FULTON COUNTY GEORGIA EXPIRES July 8, 2022

Hanafi vs Aal

12:29 AM, Sep 12, 2023

DRAFT

The United States Department of State,
Office of Passport Services CA/OCS/CI 2201 C. St.,
NW SA-17; 9th Floor
Washington, DC 20522-1709
Attention: Office of Passport Services CA/OCS/CI

REFERENCE:
1- KARMA SHAMEL HANADI CHILDREN'S PASSPORT ISSUANCE ALERT PROGRAM (CPIAP).
2- ACCORDING TO THE EGYPTIAN AND AMERICAN COURT ORDER MS. ABUSEDA, AKA AAL, LOST ALL HER CUSTODIAL LEGAL RIGHTS IN EGYPT AS WELL IN THE STATES

Dear Sirs/Mesdames
I am writing to inform you that I object to the passport issuance of my child Karma Shamel Hanafi based on solid legal references and satisfactory evidence of a Superior Court.

I received an email from the Department of State on July 14, 2023, stating that a passport application was executed on behalf of Karma at a U.S. Embassy
. **I**
do not consent to this passport application, and I request that it be denied Immediately.

1. Attached is the final court order, the denying child custody court order issued from Fulton County Superior Court, and the above style subject is not subject to any future enforcement by the United States courts.

2018CV310972 Order Denying Egyptian Custody Court order and Request for the Registration of Child Custody Determination in The US and not subject to any future enforcement or Jurisdiction.

Ms. Abuseda, AKA Aal, lost all her custodial Legal rights in Egypt_

Ms. Abuseda got married in 2021, And As per Egyptian law, all her custodial rights are revoked automatically without the need to file any petition or court case. The mother's custodial rights fall.

The law

"A mother will lose residential custody if she remarries. She will also lose custody if she is otherwise deemed unfit, in which case the Egyptian courts recognize an order of preference of

alternate adult custodians with priority given to the mother's family in the following order: maternal grandmother or great-grandmother; paternal grandmother or great-grandmother; maternal aunt; paternal aunt; maternal niece; paternal niece. Only if these relatives do not exist, will the right of custody shift to a male.

"Please find below the law citation. "

IN THE NAME OF THE PEOPLE

The President of the Republic, The People's Assembly, decided on the coming law and issued it. The first article:

The text of the first paragraph of Article 20 of Law No. 25 of 1929 replaces the text of Article 20

ARTICLE 20/1 OF DECREE-LAW NO. 25 OF 1929 AS AMENDED BY LAW 100 OF 1985)

ABOUT THE FALL OF THE CUSTODY - IF THE INCUBATOR LOSES ONE OF THE CONDITIONS THAT MUST BE MET, THE LAWSUIT MAY BE FILED BY DROPPING THE CUSTODY. - THE ORIGINAL IN CUSTODY IS HONEST, AND THE SO-CALLED TO THE CONTRARY MUST PROVE WHAT HE CLAIMS

(ARTICLE 20/1 OF DECREE-LAW NO. 25 OF 1929 AS AMENDED BY LAW 100 OF 1985)

- THE **MOTHER'S CUSTODY FALLS AUTOMATICALLY, BUT STILL, HER RIGHT TO SEE THE LITTLE ONE WILL NOT FAIL.**
THE CUSTODY IS EXTINGUISHED FROM CUSTODY AS SOON AS HE MARRIES A FOREIGNER,
AND IF SHE IS DIVORCED FROM THE FOREIGNER, THE CUSTODY DOES NOT RETURN TO IT EXCEPT IN THE DIVORCE KIT, WHICH IS IRREVOCABLE, BECAUSE THE MARRIAGE IS REACTIVE. -

3. Georgia UCCJEA

{{Ga. Code Ann. 519-940 etseq5 19-9-44. Child Custody Determinations Of Foreign Country
2. 18 USC 1204: International parental kidnapping
The text contains those laws in effect on August 16, 2023
From Title 18-CRIMES AND CRIMINAL PROCEDURE
PART I-CRIMES
4- CHAPTER 55-KIDNAPPING

(c) A court of this state need not apply this article if the child custody law of o foreign country

violates fundamental principles of human rights.}}

As Karma's father, I reserve all my rights to revoke the United States passport according to the following:

I never received any notice of proceedings regarding child custody or support filed by Petitioner in Egypt. Furthermore, when Petitioner alleged to have perfected service on Respondent in Egypt, Respondent can conclusively prove that he was not in Egypt and could not receive personal service of any legal documents.

2. Respondent shows that Petitioner further perpetrated fraud on the court in obtaining the

order sought to be registered by the Request in violating 18 U.S.C. 1204 and retaining the Child in Egypt despite numerous demands by Respondent that Petitioner returns the Child to the United States and subsequently filing a custody action in an Egyptian court, seeking sole custody of the Child without informing the Egyptian court of her unlawful conduct in obtaining and retaining physical custody of the Child outside of the United States.

3. Respondent shows that the order sought to be registered by the Request awards sole legal and physical custody of the Child to Petitioner and grants no parental rights, whatsoever, of the Child to Respondent and that such denial is contrary to the best interest of the child standard applied by this Court in making child custody determinations pursuant to O.C.G.A. § 19-9-3 as there is no evidence that the Egyptian court gave any consideration to the factors set fort

I am concerned for the safety of K.S.H. If a passport is granted for K.S.H., there is a severe risk that I will never see K.S.H. again. This risk is significantly increased because access would allow Ms. Abuseda to travel with K.S.H. to another country, not a signatory of the Hague .Convention, making reunification with my daughter impossible

3- furthermore, Egypt has not signed the Hague Convention on the civil Aspects of International Parental Child Abduction, and Egypt does not recognize, nor give any enforcement to, any child custody order issued by a court of the United

States. Accordingly, there is no comity between Egypt and the United States of America upon which to base recognition of a judgment entered by an Egyptian court.

Egyptian courts apply ***specific Sharia law to child custody*** cases that favor custody in the -4 mother and create a presumption in favor of the mother. Accordingly, courts in the United States of America have previously refused to treat Egypt as a "state" for purposes of the Uniform Child Custody Jurisdiction and Enforcement Act and have found that Egyptian courts have no child custody jurisdiction as there is "clear and convincing evidence that Egyptian child custody laws violate fundamental principles of human rights, based on Human Rights .Watch and the department of states country reports

5-**I** would like to share with you part of my correspondence on September 21st. 2021with the US embassy in Cairo:

"When I arrived in Cairo, I discovered my former wife filed 3 law cases at the Egyptians Family Court, where it's mentioned that I was in Cairo during court cases that were served to me personally, while, of course, I was in the States. Based on the travel report retrieved and furnished from the Home Land Security Department, I have not traveled to Egypt since 11/30/2016, when I came to divorce her in Cairo, since she refused to have the divorce in the USA.

II- In addition that it's mentioned that I own Holding companies in Egypt, and I generate six figures on earnings MONTHLY basis to ask for high Alimony (LE 780,000, 00 equal to $27'000.00). Seven hundred and eighty thousand EGP yearly. In addition to £20'000 Sterling POUNDS the tuition fee of the British International School in Cairo on a retroactive basis (since 2016)

Though Based on my W2 and W9, I was one of the few having clearance to work as a DoD contractor since 2003 for deploying the GSM and telephony network for the US embassy,

the US Army, and the coalition forces in Baghdad.

III- obtaining a Schengen visa from the French consulate in Cairo to Karma S Hanafi was also submitted fraudulent consent under my name and signed on my behalf for the Egyptian Passport issuance department.

Please find the herewith the Attached:

- ***Court order of revoking Karma S Hanafy Egyptian passport and listing her name with Interpol, I won the case, and they stopped Karma on her mother at Cairo airport while heading to France.***

- ***Most recent court order of custody denial to Ms. Abuseda in the United States.***

- ***Police report filed at Roswell County, GA***

- ***Letter from the Department of States supporting my case addressed" to whom it may concern" mainly to the government entities in Egypt since Egypt is not a member of the Hague Convention.***

- ***Correspondences and updates between myself and the American Embassy in Cairo.***

Given that, I had alerted Ms. Abuseda several times that she was not to take K.S.H. out of the United States, and she did so, regardless, on July 24, 2016, when she took K.S.H. to Egypt, it demonstrates repeated behavior by Ms. Abuseda, to take legal matters into her own hands.

- On the first ground, the mother of K.S.H., Deanna Abuseda ("Ms. Abuseda"), does not have legal custody of K.S.H. in the United States. As such, any decision to allow international travel for K.S.H. must be made jointly, by both parents, in the best interests of K.S.H.

- (please find here below Fulton superior court order

"CONCLUSIONS OF LAW"

2018CV310972 Order Denying Egyptian Custody Court order and Request for the Registration of Child Custody Determination in The US and not subject to any future enforcement or Jurisdiction.

The Court hereby DENIES the Request for Registration of Child Custody Determination pursuant to O.C.GA. SS 19-9-85(d)(1) and based on its findings that the issuing court for the documents sought to be registered did not have personal jurisdiction over the Respondent nor subject matter jurisdiction of the child custody action and, further, Respondent was not appropriately served with notice of the child custody proceedings in Egypt. Accordingly, the Egyptian child custody orders sought to be registered by Petitioner in the above-styled matter are denied registration and are not subject to enforcement by the Court.

SO ORDERED this day of February 2019, nunc pro tunc, January 15, 2019.

HONORABLE BELINDA E. EDWARDS

Fulton County Superior Court Family Division.

FOOTNOTE

Role of the Department of State[1]

For international parental child abduction cases, the Role of CA/OCS/CI is the following:

Provide information through programs and tools that can be used to prevent international parental child abduction, including the Children's Passport Issuance Alert Program.
Provide information in situations where the Hague Convention applies and help parents apply with foreign authorities to obtain the return of or access to a child.
Contact U.S. Embassies and consulates abroad and request that a U.S. consular

officer attempt to locate, visit, and report on a child's general welfare.
Provide the left-behind parent with information on the legal system, especially concerning family law, of the country to which the child was abducted and furnish a list of attorneys willing to accept American clients.
Monitor judicial or administrative proceedings overseas.
Help parents contact local officials in foreign countries or make contact with such officials on the parent's behalf.
Inform parents of domestic remedies, such as warrants, extradition procedures, and U.S. passport revocations.
Alert foreign authorities to any evidence of child abuse or neglect.

References1:

Respectfully,
Sam Hanafi
.

The United States Department of State,
Office of Passport Services CA/OCS/CI 2201 C. St.,
NW SA-17; 9th Floor
Washington, DC 20522-1709

Attention: Office of Passport Services CA/OCS/CI

Reference To:
1- KARMA SHAMEL HANADI CHILDREN'S PASSPORT ISSUANCE ALERT PROGRAM (CPIAP).
2- MS. ABUSEDA, AKA AAL, LOST ALL HER CUSTODIAL LEGAL RIGHTS IN EGYPT AS WELL IN THE STATES.

Behold, esteemed recipient,

I beseech your distinguished attention to the following matter of utmost gravity and complexity, which necessitates the employment of an extensive lexicon to convey the intricacies therein aptly. I shall elucidate upon a series of significant events and documents relevant to the lamentable circumstance at hand.

Firstly, it is with great consternation that I bring to your cognizance the recent court order, resplendent with its unequivocal denial of custody to the unfortunate Ms. Abuseda within the vast expanse of the United States. This judicial pronouncement, replete with its authoritative weight, stands as a potent testament to the prevailing circumstances. Moreover, I humbly submit to your revered self a meticulously compiled police report, meticulously curated to illuminate the intricacies of the situation.

Furthermore, I humbly beseech your esteemed attention towards a letter of profound significance, graciously issued by the illustrious Department of States. This epistolary masterpiece, penned with exquisite precision and addressed to the exalted entity known as "To Whom It May Concern," primarily aims to garner support for my cause among the esteemed governmental entities in Egypt. I implore you to consider that Egypt, regrettably, is not a member of the Hague Convention, thereby necessitating this concerted effort to procure assistance.

In addition, I present a collection of correspondences and updates, meticulously preserved for posterity, which aptly chronicle the ongoing discourse between myself and the revered American Embassy in Cairo. These invaluable exchanges testify to the ceaseless endeavors undertaken to navigate the treacherous waters of this arduous predicament.

Moreover, I bring to your esteemed attention a momentous court order, one of profound consequence, which resulted in the revocation of Karma S Hanafy's Egyptian passport and her subsequent inclusion in the hallowed registers of Interpol. By the grace of the divine, I emerged victorious in this legal battle, which effectively halted Karma's precipitous journey alongside her mother at Cairo airport. This triumph is a testament to the relentless pursuit of justice in the face of grave adversity.

It is incumbent upon me to emphasize that I have, on numerous occasions, imparted stern warnings to Ms. Abuseda, admonishing her against the audacious act of extricating K.S.H. from the territorial confines of the United States. Alas, my pleas fell upon deaf ears as she egregiously transgressed on July 24, 2016, by surreptitiously spiriting K.S.H. away to the distant shores of Egypt. This bold act of disobedience underscores Ms. Abuseda's flagrant disregard for the sanctity of legal processes.

Now, let us delve into the first salient ground upon which my argument rests. It is imperative to comprehend that the maternal figure, Deanna Abuseda, does not possess the legal custody of K.S.H. within the geographical boundaries of the United States. Hence, any decision to facilitate international travel for K.S.H. must be jointly deliberated upon by both parents, with the paramount consideration being the child's best interests. To illuminate this point, I implore your indulgence in perusing the hallowed words of the Fulton Superior Court order, a document of immense legal significance:

"CONCLUSIONS OF LAW

2018CV310972 Order Denying Egyptian Custody Court order and Request for

the Registration of Child Custody Determination in The US and not subject to any future enforcement or Jurisdiction.

The Court, in its infinite wisdom, hereby DENIES the Request for Registration of Child Custody Determination pursuant to O.C.GA. SS 19-9-85(d)(1). This denial is predicated on the court's irrefutable findings that the issuing court, responsible for the documents sought to be registered, lacked personal jurisdiction over the Respondent and subject matter jurisdiction in the child custody action. Moreover, it is crucial to underscore that the Respondent was not appropriately served with notice of the child custody proceedings in Egypt. Consequently, the Egyptian child custody orders, so eagerly sought by the Petitioner for registration in the matter mentioned above, are unequivocally denied registration and are thereby divested of any semblance of enforceability by this august Court.

SO ORDERED on this momentous day of February in the year of our Lord 2019, nunc pro tunc, January 15, 2019.

HONORABLE BELINDA E. EDWARDS

Fulton County Superior Court Family Division."

Furthermore, let us unveil the role played by the illustrious Department of State in this labyrinthine conundrum. Their involvement assumes a paramount significance in cases of international parental child abduction. Permit me to expound upon their noble responsibilities:

The Department of State, in its resplendent wisdom, undertakes to disseminate invaluable information through an array of programs and tools, all meticulously curated to counteract the pernicious scourge of international parental child abduction. Notably, the Children's Passport Issuance Alert Program exemplifies their proactive efforts in this realm. Additionally, the Department of State diligently provides pertinent information to esteemed recipients,

I humbly draw your distinguished attention to the complex and weighty matter that lies before us, necessitating the grandiloquent employment of an opulent lexicon to convey the depth and intricacy therein aptly. Allow me to embellish upon a series of significant events and documents that bear utmost relevance to the lamentable predicament at hand.

Firstly, it is with profound consternation and deep sorrow that I bring to your esteemed cognizance the most recent court order, resplendent with its unequivocal denial of custody to the unfortunate Ms. Abuseda within the vast expanse of the United States. This judicial pronouncement, replete with its authoritative gravitas, stands as an indomitable testimony to the prevailing circumstances. Moreover, I beseech your venerable self to peruse the meticulously compiled police report, a document imbued with meticulous attention to detail, illuminating the multifaceted nuances of the situation.

Furthermore, I humbly implore your illustrious attention towards a letter of profound significance, graciously issued by the renowned Department of State. This epistolary masterpiece, penned with exquisite precision and addressed to the exalted entity known as "To Whom It May Concern," primarily aims to garner invaluable support for my cause among the

esteemed governmental entities in Egypt. I implore you, honorable recipient, to acknowledge the distressing fact that Egypt, regrettably, is not a member of the Hague Convention, thereby necessitating this concerted effort to procure assistance.

In addition, I present unto you a collection of correspondences and updates, meticulously preserved for posterity, which aptly chronicle the ongoing discourse between myself and the revered American Embassy in Cairo. These invaluable exchanges are a testament to the ceaseless endeavors undertaken to navigate the treacherous waters of this arduous predicament.

Moreover, I bring to your esteemed attention a momentous court order, one of profound consequence, which resulted in the revocation of Karma S Hanafy's Egyptian passport and her subsequent inclusion in the illustrious registers of Interpol. By the grace of divine intervention, I emerged triumphant in this legal battle, which effectively halted Karma's precipitous journey alongside her mother at Cairo airport. This resounding victory is a testament to the relentless pursuit of justice in the face of grave adversity.

It is incumbent upon me to emphasize that I have, on numerous occasions, imparted stern warnings to Ms. Abuseda, fervently admonishing her against the audacious act of extricating K.S.H. from the territorial confines of the United States. Alas, my pleas fell upon deaf ears as she egregiously transgressed on July 24, 2016, by surreptitiously spiriting K.S.H. away to the distant shores of Egypt. This bold act of disobedience serves as a poignant reminder of Ms. Abuseda's flagrant disregard for the sanctity of legal processes.

Now, let us delve into the first salient ground upon which my argument firmly rests. It is paramount to comprehend that the maternal figure, Deanna Abuseda, does not possess the legal custody of K.S.H. within the geographical boundaries of the United States. Hence, any decision to facilitate international travel for K.S.H. must be jointly deliberated upon by both parents, with the paramount consideration being the child's best interests. To illuminate this point, I implore your indulgence in perusing the hallowed words of the Fulton Superior Court order, a document of immense legal significance:

CONCLUSIONS OF LAW

2018CV310972 Order Denying Egyptian Custody Court order and Request for the Registration of Child Custody Determination in The US and not subject to any future enforcement or Jurisdiction.

The Court, in its infinite wisdom, hereby DENIES the Request for Registration of Child Custody Determination pursuant to O.C.GA. SS 19-9-85(d)(1). This denial is predicated on the court's irrefutable findings that the issuing court, responsible for the documents sought to be registered, lacked personal jurisdiction over the Respondent and subject matter jurisdiction in the child custody action. Moreover, it is crucial to underscore that the Respondent was not appropriately served with notice of the child custody proceedings in Egypt. Consequently, the Egyptian child custody orders, so eagerly sought by the Petitioner for registration in the matter mentioned above, are unequivocally denied registration and are thereby divested of any semblance of enforceability by this august Court.

SO ORDERED on this momentous day of February in the year of our Lord 2019, nunc pro tunc, January 15, 2019.

HONORABLE BELINDA E. EDWARDS

Fulton County Superior Court Family Division."

Furthermore, let us unveil the role played by the illustrious Department of State in this labyrinthine conundrum. Their involvement assumes a paramount significance in cases of international parental child abduction. Permit me to expound upon their noble responsibilities:

The Department of State, in its unfathomable wisdom, undertakes to disseminate invaluable information through an array of programs and tools, all meticulously.

Furthermore, let us unveil the role played by the illustrious Department of State in this labyrinthine conundrum. Their involvement assumes a paramount significance in cases of international parental child abduction. Permit me to expound upon their noble responsibilities:

The Department of State, in its resplendent wisdom, undertakes to disseminate invaluable information through an array of programs and tools, all meticulously curated to counteract the pernicious scourge of international parental child abduction. Notably, the Children's Passport Issuance Alert Program exemplifies their proactive efforts in this realm. Additionally, the Department of State diligently provides pertinent information to esteemed recipients,

I humbly draw your distinguished attention to the complex and weighty matter that lies before us, necessitating the grandiloquent employment of an opulent lexicon to convey the depth and intricacy therein aptly. Allow me to embellish upon a series of significant events and documents that bear utmost relevance to the lamentable predicament at hand.

Footnote

FOR INTERNATIONAL PARENTAL CHILD ABDUCTION CASES, THE ROLE OF CA/OCS/CI IS THE FOLLOWING:

Provide information through programs and tools that can be used to prevent international parental child abduction, including the Children’s Passport Issuance Alert Program.
Provide information in situations where the Hague Convention applies and help parents apply with foreign authorities to obtain the return of or access to a child.
Contact U.S. Embassies and consulates abroad and request that a U.S. consular officer attempt to locate, visit, and report on a child’s general welfare.
Provide the left-behind parent with information on the legal system, especially concerning family law, of the country to which the child was abducted and furnish a list of attorneys willing to accept American clients.
Monitor judicial or administrative proceedings overseas.
Help parents contact local officials in foreign countries or make contact with such officials on the parent’s behalf.

Inform parents of domestic remedies, such as warrants, extradition procedures, and U.S. passport revocations.
Alert foreign authorities to any evidence of child abuse or neglect.

References1:

RESPECTFULLY,
SAM HANAFI

Date: July 19th.. 2017

Shamel Hanafi
3116 Walton Way
Atlanta, GA 30076

Chief Rusty Grant.
Chief Of Police
City of Roswell Police Department
39 Hill Street
Roswell, GA 30075

Reference : Petition Child Karma S. Hanafi

Case Reference: # 1704-000206

Second Notice and Request regarding open matter with US Department of State Office of Child Abduction case.

Abduction Date July 23rd.2016
D.o.B. June 12th.2012

This Notice and Request are being delivered as a follow-up to my initial letter dated April 16th of this year which requests for the abduction of my **daughter, Karma Shamel Hanafi**, to be entered in the National Crime Information Center (NCIC).

I.

As referenced in my prior correspondence, Karma was abducted on July 23, 2016, by my former wife Deanna H Aal when she took Karma to Egypt on a vacation with the intent to return. As of today's date, Karma still has not been returned to the United States. For your reference, 18 U.S.C. § 1204 regarding international parental kidnapping makes it a federal crime for a parent to remove or attempt to remove a child from the United States or retain a child outside the United States with the intent to obstruct another parent's custodial rights. According to 18 U.S.C. § 1204, a parent who removes a child from the United States in this capacity is subject to federal prosecution. As part of the Congressional effort to reduce the number of child abduction incidents in the United States, Congress has delegated the US Department of State Office of Child Abduction to provide the government backing required to communicate with international agencies. However, it is ***not*** the responsibility of the US Department of State Office of Child Abduction to report child abduction incidents to the NCIC. This duty specifically lies with local law enforcement authorities-please see the email from the Department of State in regards to this point. If you have any hesitancy about this point, please specifically follow up with Counselor Patricia Hickey in the Department of State's Office of Child Abduction for further directions.

II.

I have previously submitted information that suffices to show that **Deanna H Aal as well as my former Father in Law Hussein S Aal, removed Karma from the United States** to another country in order to keep her away from her home in the US and with no intent of return. I have further submitted evidence which suffices to show that Deanna H Aal had no custodial rights to permanently remove Karma from the US or deprive me of my custodial rights.

III.

To this date, Karma's abduction has still not been entered into the NCIC system. The lack of cooperation by the City of Roswell Police Department, impairs the ability of other law enforcement bodies to track the transportation of Karma's across international borders. Further, the Roswell Police Department is mandated by several sources of authority to report child abduction to the NCIC: Titles 18 & 28 of the US Code; The Parental Kidnapping Prevention Act; The uniform Child Custody Jurisdiction and Enforcement Act; and The Uniform Child Custody Jurisdiction Act. Additionally, as a civic the conduct of the Roswell Police Department is further regulated by (42 U.S.C. § 14141) which makes it unlawful for State or local law enforcement officers to engage in a pattern or practice of conduct that deprives persons of rights protected by the Constitution or laws of the United States.

IV.

I am requesting that the Roswell Police Department Immediately perform its duties and report this incident to the NCIC. I further request that the Roswell Police Department cooperate and contact any other agency in order to ascertain additional subject matter

knowledge or information as required by law. Lastly, considering the length of time that has elapsed, I request that this matter be handled expeditiously in order to cause no further delay.

Please notify me immediately of any expected delay.

Respectfully,

Date : July 19th. 2017

Enclosures:

- ✓ Initial Pledge addressed to US Department Of State
- ✓ Custody court case in Fulton Supreme Court.
- ✓ Former Spouse Passport & SSN – Copy
- ✓ Former Father in Law DL – Copy
- ✓ Karma S Hanafi Photo, Birth Certificate- Copy
- ✓ Former Wife Photo – Former Father in Law Photo
- ✓ Juridical Backup References (DoJ -Attorney General –Congress Library and similar cases)
- ✓ All necessary backups proof required I.e. Health insurance, school tuition, home contract, etc…)

Copy By Mail To:

N.S.I.S STATE

N.S.I.S. FEDRAL

ATTORNEY GENERAL STATE

ATTORNEY GENERAL FEDRAL

DOS

NCMEC

RETURN SAFE

" When I come home, my daughter will run to the door and give me a big hug, and everything that's happened that day just melts away."

ATLANTA, MARCH 17TH.2017

Ms. Patricia Hickey
Country Manager
U.S Department Of State
Office Of Children's Issues (Ca/Ocs/Ci)
Sa-17, 9th Floor
Washington, Dc 20522-1709
2201 C. Street N.W

Child Karma Shamel Hanafid.O.B. 06/12/2012

Abduction Date : 7/24/2016

Int'l. Parental Abduction & Custody Petition

Abduction Dates July 24th.2016 Atlanta Ga. 30076

"Using A Foreign Country's Justice System"

"Not Party To The Hague Abduction Convention"

" When I come home, my daughter will run to the door and give me a big hug, and everything that's happened that day just melts away."

"When I come home, my daughter will run to the door and give me a big hug, and everything that's happened that day just melts away."

INTRODUCTION

am originally an Egyptian native and now a U.S. Citizen. I was honored to serve as DoD Contractor in Iraq from 2003 till 2009 during the Iraqi Liberation Operation. I was divorced on November 6, 2016 in a family Court in Cairo Egypt. Since that date my former spouse has abducted my daughter who is a minor child. My daughter's name is Karma Shamel Hanafi and her birthday is June 12th, 2012. My former wife's name is Deanna H Aal. My former wife has left the country with my daughter and I have not seen her since the divorce . The issues I have are that I want to enforce the facts , and my custody rights given to me by the Egyptian Law , through proper authorities in the US and make sure my case properly registered for any future allegations my former in laws , by taking the necessary action and informing the concerned legal and law enforcement entities in the as well the the USA Embassy in Egypt.

Denial of my parental rights is a violation of the United States Constitution under the "Equal Protection" Clause. I will present the chain of events that transpired, and furthermore; exhibit a conspiracy to interfere with custody of a child and contact and access to a minor child as set forth below.

I. STATEMENT OF FACTS

In June of 2016 my in-laws came from Egypt to visit and requested that stay with us which they never did before. During the last week of June my former wife at the time started to act erratic. The day after her parents acted as everything was okay; all of a sudden I realized they booked a flight to Cairo for July24, 2016. My mother-in-law extended her stay so that she could spend time with her daughter.

On July 22nd., 2016 my wife stated she needed a break and she was taking my daughter to Cairo, Egypt without my consent and told her I did not approve, however; she left regardless. I was told that my former spouse stated that she would return in August, 2016

ADRESS: 3116 Walton Way – 30076 ALANTA GA
Cell: 470-272-0206

" When I come home, my daughter will run to the door and give me a big hug, and everything that's happened that day just melts away."

and has not returned since July. I have been deprived valuable time that I cannot get back and I am at a loss with no recourse. Consequentially, I was in distress and emotionally afflicted and did not discover many things until my emotions subsided. I realized that my former spouse had taken all of the original & official documents belonging to my daughter. I feel this event was premeditated and would constitute a civil conspiracy.

Secondly, after my in-laws and my former spouse left the United States my father-in-law began to defame me by stating I had a risky life style and his daughter had no place in my life. Later, I learned that my former spouse was acting by infidelity. I have proof that she was having an affair because I verified these facts by checking the phone bill, this much is provable. However, most divorce proceedings in modern times require no cause of action for dissolution of marriage. Finally, I am reporting this incident to inform authorities with my case, just in case my former wife decides to come to the United States I need to protect my rights to custody and see my daughter. In the meantime, I will take all legal action as deemed necessary.

The Former Husband is a Resident of the State of Georgia has a Right to enforce his Parental and Custody Rights under the Uniform Child Custody Jurisdiction Enforcement Act ("UCCJEA").

Under Georgia Code Annotated §19-9-40 et seq. the Court govern the "UCCJEA" and enforcement thereof. Georgia law has the authority to enforce and modify foreign judgments of a foreign country. The citation is found upon Georgia Code Annotated §19-9-44. Child custody determinations of foreign country (a) A court of this state shall treat a foreign country as if it were a state of the United States for the purposes of applying this part and Part 2 of this article. (b) Except as otherwise provided in subsection (c) of this Code section, a child custody determination made in a foreign country under factual circumstances in substantial conformity with the jurisdictional standards of this article must be recognized and enforced under Part 3 of this article. (c) A court of this state need not

" When I come home, my daughter will run to the door and give me a big hug, and everything that's happened that day just melts away."

apply this article if the child custody law of a foreign country violates fundamental principles of human rights.

The Former Husband is protected under the Laws of Egypt.

I argue that based on Egyptian Family Law, which states in full that a woman can file for divorce, however, the former spouse must forfeit her financial rights, custody rights, and reimburse her husband the dowry (and any gifts) paid when contracting the marriage. In fact, my father-in law informed me that he would inform the Court in Egypt that the wife would relinquish all her rights, yet; by which I never got anything back. Moreover, when a wife is involved in an extramarital relationship with someone other than her husband she runs the risk of losing everything.

The Former Husband and Parent of a Minor Child are protected under the Laws of the United States and the Equal Protection of Rights under the Fourteenth Amendment of the United States Constitution.

The Fourteenth Amendment of the United States Constitution states specifically that no person shall be deprived equal rights, life and liberty, especially in child custody cases. Additionally, this provision of the Fourteenth Amendment prohibits states from denying a person equal protection of the law. I feel that my rights are being violated and because this is an International case and I believe that if things remain the same I will never see my daughter. Finally, this situation has damaged me emotionally , morally and financially.

CONCLUSION

Based on the foregoing statement of facts I am requesting that the United States assist me by supporting my legitimate rights in the US territories, and protecting my daughter to be

" When I come home, my daughter will run to the door and give me a big hug, and everything that's happened that day just melts away."

Attachment:

1. Mother's passport copy
2. Daughter Birth Certificate
3. Marriage Certificate
4. Divorce Certificate(Giving away her rights highlighted)
5. Father ID
6. Proof Of Residence
7. Child Medical Report
8. Medical insurance
9. Threats Identify theft trial by former in law
10. Supporting Documents

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42 U.S. Code § 5780 - State requirements

Current through Pub. L. 114-38. (See Public Laws for the current Congress.)

Each State reporting under the provisions of this section and section 5779 of this title shall—

(1) ensure that no law enforcement agency within the State establishes or maintains any policy that requires the observance of any waiting period before accepting a missing child or unidentified person report;

(2) ensure that no law enforcement agency within the State establishes or maintains any policy that requires the removal of a missing person entry from its State law enforcement system or the National Crime Information Center computer database based solely on the age of the person;

(3) provide that each such report and all necessary and available information, which, with respect to each missing child report, shall include—

(A) the name, date of birth, sex, race, height, weight, and eye and hair color of the child;

(B) a recent photograph of the child, if available;

(C) the date and location of the last known contact with the child; and

(D) the category under which the child is reported missing;

is entered within 2 hours of receipt into the State law enforcement system and the National Crime Information Center computer networks and made available to the Missing Children Information Clearinghouse within the State or other agency designated within the State to receive such reports; and

(4) provide that after receiving reports as provided in paragraph (3), the law enforcement agency that entered the report into the National Crime Information Center shall—

(A) no later than 30 days after the original entry of the record into the State law enforcement system and National Crime Information Center computer networks, verify and update such record with any additional information, including, where available, medical and dental records and a photograph taken during the previous 180 days;

(B) institute or assist with appropriate search and investigative procedures;

(C) notify the National Center for Missing and Exploited Children of each report received relating to a child reported missing from a foster care family home or childcare institution;

(D) maintain close liaison with State and local child welfare systems and the National Center for Missing and Exploited Children for the exchange of information and technical assistance in the missing children cases; and

(E) grant permission to the National Crime Information Center Terminal Contractor for the State to update the missing person record in the National Crime Information Center computer networks with additional information learned during the investigation relating to the missing person.

(Pub. L. 101–647, title XXXVII, §3702, Nov. 29, 1990, 104 Stat. 4967; Pub. L. 109–248, title I, §154(a), July 27, 2006, 120 Stat. 611; Pub. L. 114–22, title I, §116(b), May 29, 2015, 129 Stat. 244.)

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not returned before child custody ends at age 18. This is because child custody does not have anything to do with children's rights or welfare only parental rights.
This only applies to children before they turn 18 years old. This does not apply to children after they turn 18 and are legal an adult, then a custody order does not apply and they can decide where to live. This is because children are considered chattel (personal property) of the parents from birth until child custody ends at age 18.
In a International parental child abducted, if the child is located after there 18 birthday, legally, the court can only punish the abducting parent after the fact, but cannot force the child to return to the left behind parent in the United States.

The **International Parental Kidnapping Crime Act 1993 (IPKCA)** is a United States federal law. H.R. 3378, approved December 2, was assigned Public Law No. 103-173 and signed as Public Law 103-322 by President Bill Clinton on September 2, 1993.[1] This law makes it a federal crime to remove a child from the United States or retain a child outside the United States with the intent to obstruct a parent's custodial rights, or to attempt to do so (See 18 U.S.C. § 1204.) This crime is punishable by up to three years in prison. The law provides an affirmative defense where the abducting parent acted pursuant to a valid court order obtained under the Uniform Child Custody Jurisdiction And Enforcement Act, or where the abducting parent was fleeing domestic violence, or where the failure to return the child resulted from circumstances beyond the taking parent's control and the taking parent made reasonable efforts to notify the left behind parent within 24 hours and returned the child as soon as possible.[2] Since its enactment, the law has only been used in a very small minority of international child abduction cases prompting parents of internationally abducted children to claim an abuse of or prosecutorial discretion on the part of federal prosecutors.[*citation needed*]

2) MISSING CHILDREN ACT, 28 U.S.C. 534:

U.S. Department of States

*OMB APPROVAL NO. 1405-0169
EXPIRATION DATE: 02-28-2019
ESTIMATED BURDEN: 30 Minutes*

REQUEST FOR ENTRY INTO CHILDREN'S PASSPORT ISSUANCE ALERT PROGRAM

REQUEST FORM

To be filed by concerned parents of U.S. citizen children.

By signing this form you are affirming that your parental rights to this child have not been terminated by US court order.

1. Please provide information about the child in order to make the alert system effective. Please print clearly or type the information.

Child's Full Name *(Last, First, Middle)*			Date of Birth *(mm-dd-yyyy)*	Place of Birth
HANAFI	KARMA	SHAMEL	06-12-2012	CAIRO-EGYPT

Child's Sex	Social Security Number	U.S. Passport Number*(s)* , if any
☒ Female ☐ Male		

2. Please provide the following information about yourself so that we can acknowledge your request, and alert you in the future. Shamel Hanafi

Your Full Name *(Last, First, Middle)*			Documentation of Identity Provided
HANAFI	M	Shamel	☒ Driver's License ☐ Other Form of Photo Identification with Signature ☐ Passport

Relationship to Child Shown Above	Documentation of Parentage, Guardianship, Legal Custody OR Authority to Act on Behalf of Parent or Legal Guardian, as applicable		
FATHER	☒ Birth Certificate	☐ Consular Report of Birth Abroad *(CRBA)*	☐ Adoption Decree
	☐ Current Custody/ Guardianship Court Order*(s)*	☐ Evidence of Authority to Act on Behalf of Parent or Legal Custodian	☐ Other SSN

Mailing Address	City	State or Country	Postal Code
3116 Walton Way, Roswell	Atlanta	Georgia	30076

NOTE: Since the Department will need to contact you, it is very important that you keep us informed in writing or by telephone of any changes to your contact information. Failure to notify this office of your correct address and phone number may result in passport issuance for your child without your knowledge.

Roaming Cell Phone	Work Phone	Cell Phone	Email Address*(es)*
: +20122-211-2060		470-777-2072	Personal: Shamel.hanafi@gmail.com Work: S.hanadi@Blackwater-mil.com

3.

☒ I request that the U.S. Department of State notify me if it receives a U.S. passport application for the above-mentioned child, or if an application is currently pending, or if there is any U.S. passport still valid for the child's travel.

☒ I object to the Issuance of a U.S. Passport to the Aforementioned Child, but I understand that under prescribed circumstances *(see 22 CFR 51.28)* the Department is authorized to issue the passport nonetheless.

Signature

12-06-2017
Date *(mm-dd-yyyy)*

Please read the Dual Nationality for Children information accompanying this form. It relates to a child who may have a foreign nationality in addition to U.S. nationality.

Please submit via e-mail, fax, or mail the completed form along with the proper copies of the original documents to the U.S. Department of State, Overseas Citizen Services, Children's Issues; Attention: Children's Passport Issuance Alert Program; SA-17, 9th Floor, Washington, DC 20522-1707; Email: PreventAbduction1@state.gov; Telephone Number 1-888-407-4747, Fax Number 202-485-6222.

From: "Hickey, Patricia K" <HickeyPK@state.gov>
Date: March 20, 2017 at 9:51:41 AM EDT
To: Shamel Hanafi <shamel.hanafi@gmail.com>
Cc: "Davis, Sharrell A" <DavisSA2@state.gov>
Subject: RE: Office of Children's Issues: HANAFI, Karma

Good morning, Mr. Shamel,pNational Crime Information Center (NCIC) entry. This action will serve locating Karma should she cross U.S. or international borders at some point.

As we discussed over the phone, and as noted in the letter, you may wish to document Karma's abduction by filing a missing persons report with your local law enforcement agency and have them follow up with a National Crime Information Center (NCIC) entry. This action will serve locating Karma should she cross U.S. or international borders at some point.

Please inform us as soon as you obtain custody of your daughter. I understand that you have filed for custody in an Egyptian court, and I encourage you to stay in contact with your attorney in Egypt in this regard. You may also wish to consider obtaining an attorney in Atlanta and filing for a custody order in Georgia.

Since you have not had contact with your daughter since the divorce, you can also request a Welfare Visit. Please let us know if you would like me to request the U.S. Embassy in Cairo to attempt to visit your daughter to report on her welfare.

Sincerely,

Patricia K. Hickey (Tish)
Country Officer
Office of Children's Issues
Bureau of Consular Affairs
U.S. Department of State
(202)485-6082
Official CLASSIFIED

United States Department of State

Washington, D.C. 20520

October 12, 2017

Mr. Shamel Hanafi
3116 Walton Way
Atlanta, GA 30076

Dear Mr. Hanafi:

Our records reflect that in March, 2017 you contacted our office to report that your daughter, Karma Hanafi, had been wrongfully removed to Egypt by her mother, Deanna Aal in July of 2016. Based on the information you provided, our office opened a report of abduction on behalf of your daughter on March 13, 2017. Your child was also entered into CPIAP; the case number is 1570354 for your reference.

Since March 2017, you have discussed with our office your efforts to hire an attorney and contact law enforcement to have your daughter entered into National Crime Information Center (NCIC) as a missing person. As our office has previously mentioned, inclusion of your daughter in the NCIC will serve to document your child's abduction, and may assist in locating Karma should she cross U.S. or international borders at some point.

If you need any assistance, or have any questions concerning your case, you may contact me at phone number 888-407-4747 or by email at MiddleEastIPCA@state.gov.

Sincerely,

Kelly C. Landry
Office of Children's Issues

SHAMEL HANAFI
3116 Walton Way • Atlanta, Georgia 30076
shamel.hanafi@gmail.com • +1 (470) 272-0206

March 12, 2019

United States Department of State
Office of Children's Issues
CA/OCS/CI
2201 C. St., NW
SA-17; 9th Floor
Washington, DC 20522-1709

RE: **2018CV310972 Order Denying Egyptian Custody Court order and Request for the Registration of Child Custody Determination in The US and not subject any future enforcement by the Superior Court.**

Submitted in support of Revocation of the Passport of Karma S. Hanafi, a Minor Child Parentally Abducted to Egypt

Dear Sir or Madam:

In support of my request to revoke the United States passport of Karma Shamel Hanafi, my minor child who has been parentally abducted to Egypt by my former wife and Karma's mother, Deanna Hussein Aal a/k/a Deanna Hussein Abdel'Aal, a/k/a Deanna Hussein Sayed Mohamed Abuseda, I submit the attached final court order denying child custody order issued from the Egyptian Family Court, and the above style subject is not subject to any future enforcement by the court.

Georgia UCCJEA
{{Ga. Code Ann. § 19-9-40 et seq§ 19-9-44. Child Custody Determinations Of Foreign Country
(c) A court of this state need not apply this article if the child custody law of a foreign country violates fundamental principles of human rights.}}

As Karma's father, I reserve all my rights to revoke the United States passport of Karma Shamel Hanafi until she is returned to her home country of the United States of America.

Thank you for your assistance in this most urgent and important matter.

Sincerely,

Shamel Hanafi

CONSULATE OF
THE ARAB REPUBLIC OF
EGYPT
WASHINGTON, D.C.
Seen for the legalization of the
signature of the U.S.
State and of the seal affixed
Department of State without any
responsibility as to the part of the
authorities of the Arab Republic of
Egypt as to the contents.
55

Scanned with CamScanner

FILED IN OFFICE
FEB 27 2019
DEPUTY CLERK SUPERIOR COURT
FULTON COUNTY, GA

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA
FAMILY COURT

DEANNA H AAL,
Petitioner,

v.

SHAMEL HANAFI,
Respondent.

§ CIVIL ACTION FILE NO. 2018CV310972

ORDER DENYING REQUEST FOR REGISTRATION OF CHILD CUSTODY DETERMINATION

The above-styled matter came before this Court for a hearing pursuant to *Respondent's Objection to Request for Registration of Child Custody Determination* pursuant to O.C.G.A. §§ 19-9-85(c)(2) and 19-9-85(d) on January 15, 2019. Present for said hearing were the following: DEANNA H AAL, Petitioner, JENNIFER C. SUGGS and MARIJANE E. CAUTHORN, Counsel for Petitioner, SHAMEL HANAFI, Respondent, and ANGELA M. KINLEY, Counsel for Respondent. After reviewing evidence and testimony of both parties, hearing argument of counsel and considering all matters of record, the Court makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1.

Petitioner filed her *Request for Registration of Child Custody Determination* (hereinafter referred to as the "Request") on October 16, 2018 and Respondent was properly served with process pursuant to the Affidavit of Process Server filed on October 16, 2018.

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2.

Pursuant to O.C.G.A. §§ 19-9-85(c)(2) and 19-9-85(d), Respondent timely filed his objection to the Request and requested a hearing to contest the validity of the Request.

3.

The Court finds that the parties were previously married and are parents of one (1) minor child, to wit: K.S.H., a female child, birth year 2012 (hereinafter referred to as the "Child"). The Court finds that the Child is a citizen of the United States as set forth on the Child's birth certificate which was admitted into evidence.

4.

The Court finds that the issuing court of the documents sought to be registered by Petitioner did not have personal jurisdiction or subject matter jurisdiction of the child custody matter, as contemplated by O.C.G.A. § 19-9-85(d)(1). The Court finds that Respondent was not a resident of Egypt nor did Respondent maintain any domicile in Egypt at the time Petitioner herein filed the child custody action in Egypt, that at the time of filing of the child custody action in Egypt, Respondent was a resident of Fulton County, Georgia and that Petitioner was aware of Respondent's physical address and domicile in the United States of America. Finally, the Court finds that Respondent did not waive or consent to the jurisdiction of the Egyptian courts for the purpose of the custody action filed by Petitioner.

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5.

The Court finds that Respondent herein was entitled to notice of the child custody proceedings sought to be registered by Petitioner, but that notice was not given in accordance with the standards of O.C.G.A. § 19-9-47 before the court that issued the order for which registration is sought, as contemplated by O.C.G.A. § 19-9-85(d)(3). The Court finds that Respondent was not served with process in a manner reasonably calculated to give actual notice of the Egyptian custody proceedings.

6.

The Court further finds that Petitioner herein was represented by counsel regarding the proceedings for child custody in Egypt and by counsel regarding an action for child custody which was pending in the Superior Court of Fulton County, to wit: *Shamel Hanafi v. Deanna Hussein Aal*, Civil Action File No. 2017CV288779, at the time of filing of Petitioner's proceedings for child custody in Egypt, and that despite being represented by counsel in both actions, neither attorney made any effort to provide any courtesy copy of the Egyptian pleadings to Respondent or Respondent's counsel in the Fulton County custody action.

CONCLUSIONS OF LAW

The Court hereby **DENIES** the Request for Registration of Child Custody Determination pursuant to O.C.G.A. §§ 19-9-85(d)(1) and 19-9-85(d)(3) based on its findings that the issuing court for the documents sought to be registered did not have personal jurisdiction over the Respondent nor subject matter jurisdiction of the child custody action and, further, Respondent was not served properly with notice of the child custody proceedings in Egypt. Accordingly, the Egyptian child custody orders sought to

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be registered by Petitioner in the above-styled matter are denied registration and are not subject to enforcement by the Court.

SO ORDERED this 27th day of February, 2019, *nunc pro tunc*, January 15, 2019.

HONORABLE BELINDA E. EDWARDS
Fulton County Superior Court
Family Division

Prepared by:
Angela M. Kinley
Attorney for Respondent
Georgia State Bar No. 159097
3400 Peachtree Road NE
Suite 1011
Atlanta, Georgia 30326
(404) 784-7186
angela@kinleylaw.com

State of Georgia, County of Fulton
I certify that this is a true and correct copy
of a document in the possession of
Shamel Hanafi
Dated 3/1/19
Notary Public

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IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA
FAMILY COURT

DEANNA H AAL, Petitioner,	§	
v.	§	CIVIL ACTION FILE NO. 2018CV310972
SHAMEL HANAFI, Respondent.	§	

OBJECTION TO REQUEST FOR REGISTRATION OF CHILD CUSTODY DETERMINATION
and
REQUEST FOR HEARING PURSUANT TO O.C.G.A. § 19-9-85

COMES NOW, SHAMEL HANAFI, Respondent in the above-styled matter, by and through his counsel of record, and files this *Objection to Request for Registration of Child Custody Determination and Request for Hearing Pursuant to O.C.G.A. § 19-9-85* (hereinafter referred to as the "Objection") and in support of same, respectfully shows the Court as follows:

1.

Respondent shows that the Affidavit of Process Server evidencing service upon him of the above-styled *Request for Registration of Child Custody Determination* (hereinafter referred to as the "Request") was filed on October 16, 2018.

2.

Pursuant to O.C.G.A. §§ 19-9-85(c)(2) and 19-9-85(d), Respondent hereby timely requests a hearing to contest the validity of the registered determination.

3.

Respondent shows that Request should be denied by this Court on the grounds that the issuing court did not have personal jurisdiction or subject matter jurisdiction, as

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contemplated by O.C.G.A. § 19-9-85(d)(1); that Respondent herein was entitled to notice of the proceedings sought to be registered, but that notice was not given in accordance with the standards of O.C.G.A. § 19-9-47 before the court that issued the order for which registration is sought, as contemplated by O.C.G.A. § 19-9-85(d)(3); and pursuant to general principles of federal and international law applicable to acknowledgment of foreign judgments.

4.

Respondent shows that the minor child of the parties, to wit: K.S.H., a female child, birth year 2012 (hereinafter referred to as the "Child") is a citizen of the United States. Respondent shows that he was previously married to Petitioner at the time Petitioner wrongfully removed the Child from the United States, and refused to return the Child to the United States thereafter with the intent to obstruct Respondent from the exercise of lawful parental rights in violation of 18 U.S.C. 1204.

5.

Respondent shows that Petitioner has wrongfully denied Respondent parental rights to the Child since 2016 and obtained the order sought to be registered by the Request by perpetrating fraud on the Egyptian court, including providing false evidence of notice on Respondent of the Egyptian custody action and making false statements to the court regarding jurisdictional elements of the case required to establish subject matter jurisdiction of a custody action and personal jurisdiction of the Respondent in Egypt.

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6.

Respondent shows that he never received any notice of any proceedings regarding child custody or support filed by Petitioner in Egypt and furthermore, that at the time Petitioner alleged to have perfected service on Respondent in Egypt, Respondent can conclusively prove that he was not in Egypt and was not capable of receiving personal service of any legal documents.

7.

Respondent shows that Petitioner further perpetrated fraud on the court in obtaining the order sought to be registered by the Request in violating 18 U.S.C. 1204 and retaining the Child in Egypt despite numerous demands by Respondent that Petitioner return the Child to the United States and subsequently filing a custody action in an Egyptian court, seeking sole custody of the Child without informing the Egyptian court of her unlawful conduct in obtaining and retaining physical custody of the Child outside of the United States.

8.

Respondent shows that the order sought to be registered by the Request awards sole legal and physical custody of the Child to Petitioner and grants no parental rights, whatsoever, of the Child to Respondent and that such denial is contrary to the best interest of the child standard applied by this Court in making child custody determinations pursuant to O.C.G.A. § 19-9-3 as there is no evidence that the Egyptian court gave any consideration to the factors set forth therein.

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Respondent shows that O.C.G.A. § 19-9-3(a)(1) states:

> "In all cases in which the custody of any child is at issue between the parents, there shall be no prima-facie right to the custody of the child in the father or mother. There shall be no presumption in favor of any particular form of custody, legal or physical, nor in favor of either parent."

Respondent shows that in addition to the plain language of O.C.G.A. § 19-9-3(a)(1), Georgia public policy and legal principles favor children having a positive, loving relationship with *both* parents and highly disfavor sole custody arrangements, except in extreme cases involving lack of parental fitness or child abuse. As evidence thereof Respondents refers to O.C.G.A. § 19-9-3(d) which states:

> "It is the express policy of this state to encourage that a child has continuing contact with parents and grandparents who have shown the ability to act in the best interest of the child and to encourage parents to share in the rights and responsibilities of raising their child after such parents have separated or dissolved their marriage or relationship."

The relief sought in the Request would wholly circumvent the procedural due process rights of Respondent and the Child and effectively terminate the parent/child relationship between Respondent and the Child as Petitioner would be permitted to deny any contact or communication between them based on the terms of the Egyptian court order, which would not be subject to modification thereafter except by an Egyptian court.

Respondent further shows that Egypt has not signed the Hague Convention on the civil Aspects of International Parental Child Abduction and that Egypt does not recognize, nor give any enforcement to, any child custody order issued by a court of the United

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States. Accordingly, there is no comity between Egypt and the United States of America upon which to base recognition of a judgment entered by an Egyptian court.

11.

Respondent shows that Egyptian courts apply specific Sharia law to child custody cases which favor custody in the mother and create a presumption in favor of the mother. Accordingly, courts in the United States of America have previously refused to treat Egypt as a "state" for purposes of the Uniform Child Custody Jurisdiction and Enforcement Act and have found that Egyptian courts have no child custody jurisdiction as there is "clear and convincing evidence that Egyptian child custody laws violate fundamental principles of human rights."

13.

Respondent shows the Request should be denied as the terms of the order sought to be registered are substantively incompatible with Georgia laws regarding child custody and fail to promote the best interest of the Child. Additionally, Respondent shows that the Request should be denied pursuant to O.C.G.A. § 19-9-85 because the Egyptian court did not have jurisdiction over the Respondent or the subject matter of the child custody action and Respondent was not served properly with notice of the child custody proceedings in Egypt. Moreover, Respondent was not afforded a proper opportunity to be heard, said proceedings were tainted with fraud perpetrated by Petitioner herein, and the judgment rendered in said proceedings offends public policies established by the courts of the State of Georgia and United States of America.

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14.

Respondent shows that he has incurred attorney's fees and expenses of litigation in responding to the *Request for Registration of Child Custody Determination* and accordingly, Respondent is entitled to an award of attorney's fees and expenses of litigation against Petitioner.

WHEREFORE, Respondent prays:

(a) That a Rule Nisi issue requiring Petitioner show cause, if any, as to why the demands of the Respondent should not be granted;

(b) That the Court deny all relief sought by Petitioner in the *Request for Registration of Child Custody Determination*;

(c) That the Court award Respondent reasonable attorney's fees and expenses of litigation; and

(d) That Respondent have such other and further relief as the Court deems just and proper.

This 26th day of October, 2018.

ANGELA M. KINLEY, P.C.

ANGELA M. KINLEY
Attorney for Respondent
Georgia State Bar No. 159097

3400 Peachtree Road NE
Suite 1011
Atlanta, Georgia 30326
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IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA
FAMILY COURT

DEANNA H AAL, Petitioner,	§	
v.	§	CIVIL ACTION FILE NO. 2018CV310972
SHAMEL HANAFI, Respondent.	§	

CERTIFICATE OF SERVICE

This is to certify that I have this day served the counsel for Petitioner with a copy of the foregoing *Objection to Request for Registration of Child Custody Determination and Request for Hearing Pursuant to O.C.G.A. § 19-9-85* by Statutory Electronic Service to: mec@cauthornnohr.com and jcs@cauthornnohr.com and by depositing a copy of same in the United States Mail, with sufficient postage affixed thereon to ensure proper delivery of same, addressed as follows:

Marijane E. Cauthorn, Esq.
Jennifer C. Suggs, Esq.
Cauthorn Nohr & Owen
212 Church Street
Marietta, GA 30060

This 26th day of October, 2018.

ANGELA M. KINLEY, P.C.

ANGELA M. KINLEY
Attorney for Respondent
Georgia State Bar No. 159097

3400 Peachtree Road NE
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angela@kinleylaw.com

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Appendix A

Gmail THE ROCK <shamel.hanafi@gmail.com>

Hanafi, Karma - Status Letter - 12OCT17

MiddleEastIPCA <MiddleEastIPCA@state.gov> Thu, Oct 12, 14:54
To: shamel.hanafi@gmail.com <shamel.hanafi@gmail.com>
Cc: MiddleEastIPCA <MiddleEastIPCA@state.gov>

Dear Mr. Hanafi,

I am the Case Assistant assisting Country Officer Kelly Landry, with whom you spoke regarding the wrongful removal of your child to Egypt. Attached to this email you will find a letter from Ms. Landry detailing the status of your child's abduction report.

Should you have any questions, do not hesitate to reach out to Ms. Landry. She can be reached by phone at 888-407-4747 or by email at MiddleEastIPCA@state.gov.

Sincerely,

Joanna Spinolo
Case Assistant, NESCAF Abductions
Office of Children's Issues | Overseas Citizen Services
U.S. Department of State | Bureau of Consular Affairs

Official - Privacy/PII

UNCLASSIFIED

image001.gif, Hanafi Karma - Status Letter - 12OCT17.pdf

Ban on sharia law In The United States

> A ban on sharia law is legislation which prohibits the application of the or implementation of Islamic law (sharia) in courts in any civil (non-religious) jurisdiction In the United States,

1 Ban Of Sharia Law

The United States have "banned Sharia law", or passed some kind of ballot measure that "prohibits the states courts from considering foreign, international or religious law." As of 2014 these include Alabama, Arizona, Kansas, Louisiana, North Carolina, South Dakota and Tennessee.[1] In Canada, Sharia law is explicitly banned in Quebec, upheld by a unanimous vote against it in 2005 by the National Assembly,[2] while the province of Ontario allows family law disputes to be arbitrated only under Ontario law.[3]

United States.

Constitutional prohibitions and accommodations

Because of the Establishment Clause of the United States Constitution, no religious tradition can be established as the basis of laws that apply to everyone, including any form of sharia, Christian canon law, Jewish halakha, or rules of dharma from Eastern religions. Laws must be passed in a secular fashion, not by religious authorities. The Free Exercise Clause allows residents to practice any religion or no religion, and there is often controversy about separation of church and state and the balance between these two clauses when the government does or does not accommodate any particular religious practice (for example blue laws that require stores to be closed on Sunday, the Christian holy day).

Direct consultation of any religious law, including any form of sharia, is relatively rare in U.S. jurisprudence, and is generally limited to circumstances where the government is accommodating the religious belief of a specific person. This occurs mainly in matters of arbitration and family law. For example, the law may allow parties to submit a dispute for binding arbitration to a mutually agreed- upon religious authority; mandatory arbitration by a specified or mutually-agreed arbitrator is also a common clause in commercial and labor union contracts. Couples with the same religious beliefs may wish to construct marriage contracts and conduct divorces in concordance with those beliefs, and people may also wish to arrange wills and other financial matters in accordance with their own religious principles. If presented as evidence, devotion to peaceful religious principles, along with many other aspects of personality, is commonly considered when judging the character of a person before the law, for example during sentencing or a parole hearing.

Despite the Free Exercise Clause, the 1878 Supreme Court decision in Reynolds v. United States (which concerned the conflict of the Mormon practice of polygamy with anti-bigamy laws) affirmed that secular laws still apply when they contradict religious practices, unless a superseding law establishes a right to a religious accommodation. This means that belief in sharia cannot be used by itself as a justification for vigilante stonings or to prevent women from filing for divorce.

2 Background of controversy

In June 2009, a family court judge in Hudson County, New Jersey denied a restraining order to a woman who testified that her husband, a Muslim, had forced her to have non-consensual sex. The judge said he did not

believe the man "had a criminal desire to or intent to sexually assault" his wife because he was acting in a way that was "consistent with his practices." A state appeals court reversed his decision.[4] Advocates of the ban in the U.S. have cited this case as an example of the need for the ban.[5]

As of 2014 more than two dozen U.S. states have considered measures intended to restrict judges from consulting sharia law. Arizona, Kansas, Louisiana, South Dakota, Tennessee, North Carolina, Alabama and Texas[6][7] have "banned sharia", i.e., passed foreign law bans.[1] In 2010 and 2011 more than two dozen states "considered measures to restrict judges from consulting Shariah, or foreign and religious laws more generally".[8] As of 2013, all but 16 states have considered such a law.[1]

In November 2010, voters in Oklahoma approved a ballot measure to amend the state constitution to ban sharia from state courts.[9][10] The law was then updated to include all foreign or religious laws.[11] The law was challenged by an official of the Council on American-Islamic Relations. In November 2010 a federal judge ruled the law to be unconstitutional and blocked the state from putting it into effect.[12][not in citation given][13] The court found the ban had the potential to do harm to Muslims. The invalidation of a will and testament using sharia instructions was an example.[14] That ruling and injunction were upheld by the Tenth Circuit Court of Appeals on January 10, 2012.[15]

Missouri also passed a measure banning foreign law in 2013, but Gov. Jay Nixon vetoed the bill "because of its potential impact on international adoptions."[1]

Two other states banning sharia were North Carolina, which prohibited state judges from considering Islamic law in family cases in 2013,[16] and Alabama, where voters passed an Amendment to the State Constitution (72% to 28%) to "ban sharia" in 2014.[17]

3 Supporters

David Yerushalmi has been called the founder of the movement in America and is described by The New York Times as "working with a cadre of conservative public-policy institutes and former military and intelligence officials"[8] and to pass legislation, "a network of Tea Party and Christian groups" as well as ACT! for America.[8] According to him, the purpose of the anti-sharia movement is not to pass legislation banning sharia law in the courts but "to get people asking this question, 'What is Shariah?'".[8][18]

In 2011, Republicans Sarah Palin, Newt Gingrich and Michele Bachmann warned about what they saw as the threat of shariah law.[18] During the lead-up to Newt Gingrich's presidential campaign 2012, he described sharia law as a "mortal threat" and called for its ban throughout America.[19] Sarah Palin has been quoted as saying that if shariah law "were to be adopted, allowed to govern in our country, it will be the downfall of America."[8]

At a press conference in the U.S. Capitol,[20] some Republican members of the United States Congress endorsed a new memorandum, based on a Center for Security Policy (CSP) report, Shariah: The Threat to America.

4 Analysis

A 2013 report by the Brennan Center for Justice warned that the bans may have the unintended effects of invalidating prenuptial agreements and court decisions made in other states where arbitrators may have taken into account Islamic, Jewish or Catholic legal norms. Randy Brinson, the president of the Christian Coalition of Alabama, criticized the ban in Alabama, calling it "redundant and a waste of time".[1]

Historian Justin Tyler Clark argues that the rise of an anti-Sharia movement in the US, more than a decade after the September 11 attacks, is in part a reaction to increasing political correctness in the American society. Clark compares the phenomenon to the 19th century anti-Catholic movement in the US, which, he writes, rose largely in reaction to changes in middle-class American etiquette, interpreted by the nativists as encroachment

of an alien ideology on their own social norms.[21]

According to Sadakat Kadri, the ban on sharia laws notwithstanding, "the precepts of Islamic law ... have judicial force in the United States already", among Muslims who have had a dispute settled by Muslim conciliators. The 1925 Federal Arbitration Act allows Muslims, Christians, Jews, etc. to use religious tribunals to arbitrate disagreements and "the judgements that result are given force of law by state and federal courts". The statute "preempts inconsistent state legislation", such as laws to ban sharia.[22]

For American Jews who choose to obey its rulings, a Beth Din (Rabbinical court) "may not merely decide the legal rights of devout Jews; in some cases it may formally forbid believers from pursuing complaints through the secular judicial system without prior authority from a rabbi. And Muslims can also have their inheritance, business, and matrimonial disputes sorted out by Islamic scholars, who attempt to decide them according to the sharia."[22] While the US Congress could in theory repeal the act, it could not ban arbitration by Muslims while leaving other religious conciliators free to continue their work. "Any reform would have to impact equally on all faith communities, and it is not only Muslims who would object if federal legislators presumed to do that."[22]

Canada

Sharia law is explicitly banned in Quebec, upheld by a unanimous vote against it in 2005 by the National Assembly.[23]

In Ontario there was a "heated 20-month controversy" after Toronto lawyer Syed Mumtaz Ali declared in 2004 that an “Islamic Institute of Civil Justice” would begin "arbitrating family matters on the basis of sharia law", accompanied by a warning that Muslims who did not submit cases to Islamic arbitration panels were (according to Ali) not “good Muslims.”[24] In 2005, Ontario Premier Dalton McGuinty stated, "There will be no sharia law in Ontario. There will be no religious arbitration in Ontario. There will be one law for all Ontarians." This referred to McGuinty's plan to rescind the 1991 Arbitration Act, which made arbitration decisions according to religious laws enforceable in Ontario courts.[24] Opposing Ali were "anti-tribunal" forces of "politically savvy women’s groups, some of them composed of Muslim women", who feared women’s equality rights being violated. [24] In 2006, the province of Ontario banned arbitration of family law disputes under any body of laws except Ontario law, in part to prohibit arbitration under religious laws.[3]

2❧

Western Europe

United Kingdom

In the United Kingdom, Sharia has also become a political issue. A "One law for all" campaign[25] seeks to ban sharia councils and arguing this is "the only way to end discrimination suffered by Muslim women".[26] In 2015, the Conservative Party Home Secretary Theresa May called for an investigation into the application of sharia law in England and Wales if Conservatives win the General Election. A day later the mayor of London, Boris Johnson, told a radio interviewer, he was opposed to "a Sharia system running in parallel with UK justice."[27]

The issue arose in 2008, when the former Archbishop of Canterbury Rowan Williams 'suggested it was "inevitable" that elements of Sharia would be incorporated in British law.' Since then, "Sharia courts" have "never been far from tabloid headlines", according to Myriam Francois-Cerrah.[26] As of 2014, there were reported to be around 85 "shariah courts" in the UK,[26][28] operated by two rival services – Islamic Sharia Council and the newer, smaller, less strict Muslim Arbitration Tribunal.[26][29] The councils/tribunals provide arbitration that is voluntary but legally binding, are "officially mandated" and set up outside the court system[29] like another

non-secular arbitration institution, the longstanding rabbinical tribunals.[30]

The council/tribunals are defended as providing an essential service for pious Muslims who would simply work with non-government mandated Sharia councils if the government abolished the mandated ones.[26] But they are also criticized for taking the man's side in rulings,[26] for example advising women to forfeit their mahr (marriage dower) in exchange for a divorce.[30][31] According to legal historian Sadakat Kadri, the Muslim Arbitration Tribunal has "no jurisdiction over criminal matters or cases involving children." A UK-trained lawyer sits "on all its panels, and every decision" is subject to judicial review – "meaning that it was subject to reversal if it disclosed unfair procedures, human rights violations, or any other step that ordinary court considered contrary to the public interest."[22] According to Kadri, British Muslims neither know nor care about the criminal penalties of Sharia law (tazir and hudud)[22] but seek much less controversial services.

A woman whose husband has abandoned her without speaking the words of release required by the Quran might approach a mufti in search of an annulment. Senior figures in a community will pay visits to the homes of disruptive teenagers to remind them of their religious roots. Muslims who are prudent as well as pious might ask scholars to tell them which mortgage and insurance products are consistent with Islamic jurisprudence.[22]

In addition to the sharia law of the councils and tribunals, there have also been reports of "vigilante sharia squads" in some places, such as Whitechapel, East London.[29][32] The legal system of the United Kingdom treats these squads as criminals.[33][34]

Germany

Sharia law is part of Germany's private law through the regulations of the German international private law.[35] Its application is limited by the ordre public.

In September 2014, a small group of Muslims wearing mock police uniforms patrolled the streets of the western German city of Wuppertal. They "reportedly hovered around sites like discotheques and gambling houses, telling passers-by to refrain from gambling and alcohol". Following the incident the Interior Minister Thomas de Maizière told the daily newspaper Bild, "Sharia law is not tolerated on German soil."[36] The leader of the "police", Salafist Sven Lau, responded by saying the "sharia police" "never existed" and he only wanted to "raise attention" to sharia. The Central Council of Muslims in Germany (ZMD) condemned the activities.[37]

Greece

The issue of the supremacy of sharia has arisen in Greece where a Muslim woman (Chatitze Molla Sali), was left her husband's estate in his will (a Greek document registered at a notary’s office) when he died in March 2008. Her in- laws immediately challenged the bequest with the local mufti (a Muslim jurist and theologian) in the name of sharia law, "which forbids Muslims to write wills" (Islamic law rather than the inheritee determining who gets what from the estate of the deceased).[38] Molla Sali took the dispute to a civil court where she won, but in October 2013, the Greek Supreme Court ruled against her and "established that matters of inheritance among the Muslim minority must be resolved by the mufti, following Islamic laws", in accordance with the 1923 Treaty of Lausanne between Greece and Turkey. Sali has appealed the decision to the European Court of Human Rights.[38]

Muslim-majority countries

Although Turkey is a Muslim-majority country, since Kemal Atatürk's reforms and the creation of the Republic of Turkey, Sharia law was banned in 1924 and new westernized civil and penal codes were adopted in 1926.[39][40]

In Tunisia some forms of Sharia law were banned.[41] See also

DATE: JULY 19TH.. 2017

CHIEF RUSTY GRANT.
CHIEF OF POLICE
CITY OF ROSWELL POLICE DEPARTMENT
39 HILL STREET
ROSWELL, GA 30075

REFERENCE : PETITION CHILD KARMA S. HANAFI

SECOND NOTICE AND REQUEST REGARDING OPEN MATTER WITH US DEPARTMENT OF STATE OFFICE OF CHILD ABDUCTION CASE

1704-000206

KARMA SHAMEL HANAFI

Abduction Date July 23rd.2016
D.o.B. June 12th.2012

Submitted by: Shamel Hanafi / Father

This Notice and Request is being delivered as a follow up to my initial letter dated April 16th of this year which requests for the abduction of my **daughter, Karma Shamel Hanafi**, to be entered in the National Crime Information Center (NCIC).

I.

As referenced in my prior correspondence, Karma was abducted on July 23, 2016 by my former wife Deanna H Aal when she took Karma to Egypt on a vacation with the intent to return. As of today's date, Karma still has not been returned to the United States. For your reference, 18 U.S.C. § 1204 regarding international parental kidnapping makes it a federal crime for a parent to remove or attempt to remove a child from the United States, or retain a child outside the United States with intent to obstruct another parent's custodial rights. According to 18 U.S.C. § 1204, a parent who removes a child from the United States in this capacity is subject to federal prosecution. As part of the Congressional effort to reduce the number of child abduction incidents in the United States, Congress has delegated the US Department of State Office of Child Abduction to provide the government backing required to communicate with international agencies. However, it is *not* the responsibility of the US Department of State Office of Child Abduction to report child abduction incidents to the NCIC. This duty specifically lies with local law enforcement authorities-please see email from the Department of State in regards to this point. If you have any hesitancy about this point, please specifically follow up with Counselor Patricia Hickey in the Department of State's Office of Child Abduction for further directions.

II.

I have previously submitted information which suffices to show that **Deanna H Aal as well my former Father in Law Hussein S Aal, removed Karma from the United States** to another country in order to keep her away from her home in the US and with no intent of return. I have further submitted evidence which suffices to show that Deanna H Aal had no custodial rights to permanently remove Karma from the US or deprive me of my custodial rights.

III.

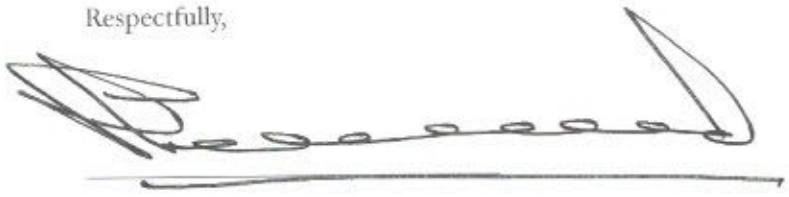
To this date, Karma's abduction has still not been entered into the NCIC system. The lack of cooperation by the City of Roswell Police Department, impairs the ability of other law enforcement bodies to track the transportation of Karma's across international borders. Further, the Roswell Police Department is mandated by several sources of authority to report child abduction to the NCIC: Titles 18 & 28 of the US Code; The Parental Kidnapping Prevention Act; The uniform Child Custody Jurisdiction and Enforcement Act; and The Uniform Child Custody Jurisdiction Act. Additionally, as a civic the conduct of the Roswell Police Department is further regulated by (42 U.S.C. § 14141) which makes it unlawful for State or local law enforcement officers to engage in a pattern or practice of conduct that deprives persons of rights protected by the Constitution or laws of the United States.

IV.

I am requesting that the Roswell Police Department Immediately perform its duties and report this incident to the NCIC. I further request that the Roswell Police Department cooperate and contact any other agency in order to ascertain additional subject matter knowledge or information as required by law. Lastly, considering the length of time that has elapsed, I request that this matter be handled expeditiously in order to cause no further delay.

Please notify me immediately of any expected delay.

Respectfully,



Date : July 19th. 2017[1]

Shamel Hanafi
3116 Walton Way
Atlanta, GA 30076

April 16th. 2017

Roswell Police Department

39 Hill street, Roswell

Fulton county

GA 30075

Subject: US Department Of State-Office -abduction & filing a missing person report :

case # 1704-000206 on 04/07 /2017

Dear Sirs,

Based the Department Of State s recommendation (mail attached) Kindly be informed I filed parental international abduction police report on April 4th. 2017 , at Roswell police department case # 1704-000206 , I would appreciate your assistance in providing me with a copy of the report, meanwhile, please let me know if it's easier and faster to pass by the R.P.D. records department tomorrow and obtain the copy if it's ready. On a separate note , and as stated in below mail received from the Department Of State ;

"abduction by filing a missing persons report with your local law enforcement agency and have them follow up with a National Crime Information Center (NCIC) entry. This action will serve locating Karma should she cross U.S. or international borders at some point. "

Or I still need to report the case by self to the (NCIC) , ? as this action will serve locating my child should she cross the US border or international borders at some point.

Kind regards,

Shamel Hanafi
3116 Walton Way
Atlanta GA 30076
Cell: 470-272-6553

Attachment:

1. U.S. Department Of State letter
2. Proceeds of filing international missing person/abduction
3. Petitioner Letter To U.S. D.o.S.
4. Divorce Certificate from Egyptian Court
5. Former wife S.S.N.
6. Child/ Karma B.C.

Cell : 470-272-0206

Enclosures:

- ✓ Initial Pledge addressed to US Department Of State
- ✓ Custody court case in Fulton Supreme Court.
- ✓ Former Spouse Passport & SSN – Copy
- ✓ Former Father in Law DL – Copy
- ✓ Karma S Hanafi Photo, Birth Certificate- Copy
- ✓ Former Wife Photo – Former Father in Law Photo
- ✓ Juridical Backup References (DoJ -Attorney General –Congress Library and similar cases)
- ✓ All necessary backups proof required I.e. Health insurance, school tuition, home contract, etc…)

Copy To:

N.S.I.S STATE

N.S.I.S. FEDRAL

ATTORNEY GENERAL STATE

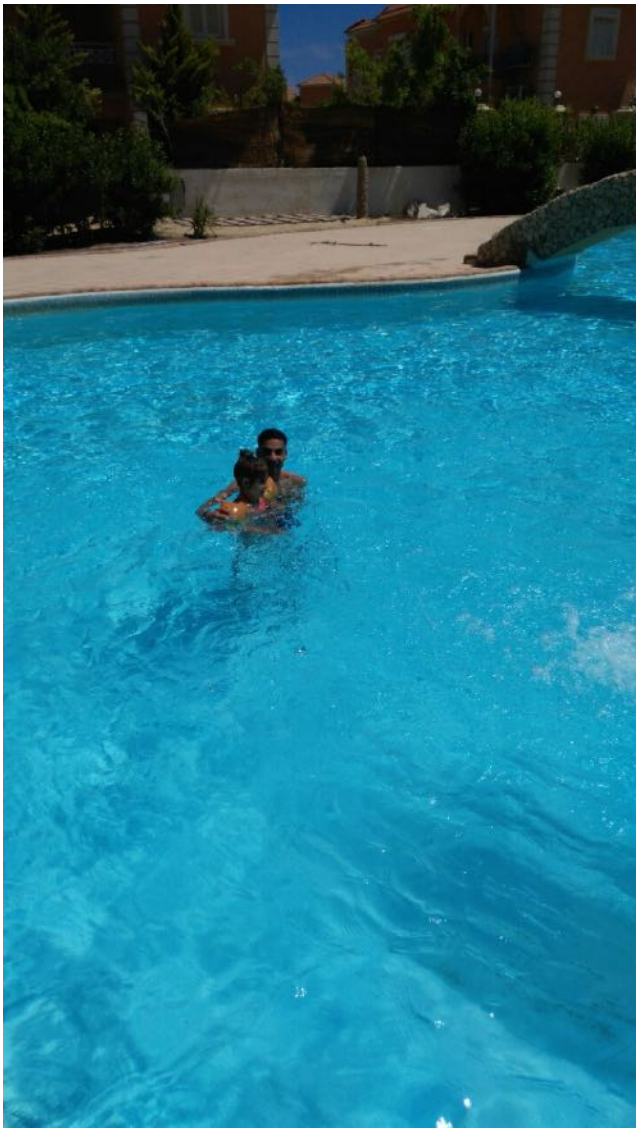
ATTORNEY GENERAL FEDRAL

DOS

NECMEC

RETURN SAFE

1



" When I come home, my daughter will run to the door and give me a big hug, and everything that's happened that day just melts away."

ATLANTA, MARCH 17TH.2017

Ms. Patricia Hickey
Country Manager
U.S Department Of State
Office Of Children's Issues (Ca/Ocs/Ci)
Sa-17, 9th Floor
Washington, Dc 20522-1709
2201 C. Street N.W

Child Karma Shamel Hanafid.O.B. 06/12/2012

Abduction Date : 7/24/2016

Int'l. Parental Abduction & Custody Petition

Abduction Dates July 24th.2016 Atlanta Ga. 30076

"Using A Foreign Country's Justice System"

"Not Party To The Hague Abduction Convention"

" When I come home, my daughter will run to the door and give me a big hug, and everything that's happened that day just melts away."

"When I come home, my daughter will run to the door and give me a big hug, and everything that's happened that day just melts away."

INTRODUCTION

am originally an Egyptian native and now a U.S. Citizen. I was honored to serve as DoD Contractor in Iraq from 2003 till 2009 during the Iraqi Liberation Operation. I was divorced on November 6, 2016 in a family Court in Cairo Egypt. Since that date my former spouse has abducted my daughter who is a minor child. My daughter's name is Karma Shamel Hanafi and her birthday is June 12th, 2012. My former wife's name is Deanna H Aal. My former wife has left the country with my daughter and I have not seen her since the divorce . The issues I have are that I want to enforce the facts , and my custody rights given to me by the Egyptian Law , through proper authorities in the US and make sure my case properly registered for any future allegations my former in laws , by taking the necessary action and informing the concerned legal and law enforcement entities in the as well the the USA Embassy in Egypt.

Denial of my parental rights is a violation of the United States Constitution under the "Equal Protection" Clause. I will present the chain of events that transpired, and furthermore; exhibit a conspiracy to interfere with custody of a child and contact and access to a minor child as set forth below.

I. STATEMENT OF FACTS

In June of 2016 my in-laws came from Egypt to visit and requested that stay with us which they never did before. During the last week of June my former wife at the time started to act erratic. The day after her parents acted as everything was okay; all of a sudden I realized they booked a flight to Cairo for July24, 2016. My mother-in-law extended her stay so that she could spend time with her daughter.

On July 22nd., 2016 my wife stated she needed a break and she was taking my daughter to Cairo, Egypt without my consent and told her I did not approve, however; she left regardless. I was told that my former spouse stated that she would return in August, 2016

ADRESS: 3116 Walton Way – 30076 ALANTA GA
Cell: 470-272-0206

" When I come home, my daughter will run to the door and give me a big hug, and everything that's happened that day just melts away."

and has not returned since July. I have been deprived valuable time that I cannot get back and I am at a loss with no recourse. Consequentially, I was in distress and emotionally afflicted and did not discover many things until my emotions subsided. I realized that my former spouse had taken all of the original & official documents belonging to my daughter. I feel this event was premeditated and would constitute a civil conspiracy.

Secondly, after my in-laws and my former spouse left the United States my father-in-law began to defame me by stating I had a risky life style and his daughter had no place in my life. Later, I learned that my former spouse was acting by infidelity. I have proof that she was having an affair because I verified these facts by checking the phone bill, this much is provable. However, most divorce proceedings in modern times require no cause of action for dissolution of marriage. Finally, I am reporting this incident to inform authorities with my case, just in case my former wife decides to come to the United States I need to protect my rights to custody and see my daughter. In the meantime, I will take all legal action as deemed necessary.

The Former Husband is a Resident of the State of Georgia has a Right to enforce his Parental and Custody Rights under the Uniform Child Custody Jurisdiction Enforcement Act ("UCCJEA").

Under Georgia Code Annotated §19-9-40 et seq. the Court govern the "UCCJEA" and enforcement thereof. Georgia law has the authority to enforce and modify foreign judgments of a foreign country. The citation is found upon Georgia Code Annotated §19-9-44. Child custody determinations of foreign country (a) A court of this state shall treat a foreign country as if it were a state of the United States for the purposes of applying this part and Part 2 of this article. (b) Except as otherwise provided in subsection (c) of this Code section, a child custody determination made in a foreign country under factual circumstances in substantial conformity with the jurisdictional standards of this article must be recognized and enforced under Part 3 of this article. (c) A court of this state need not

" When I come home, my daughter will run to the door and give me a big hug, and everything that's happened that day just melts away."

apply this article if the child custody law of a foreign country violates fundamental principles of human rights.

The Former Husband is protected under the Laws of Egypt.

I argue that based on Egyptian Family Law, which states in full that a woman can file for divorce, however, the former spouse must forfeit her financial rights, custody rights, and reimburse her husband the dowry (and any gifts) paid when contracting the marriage. In fact, my father-in law informed me that he would inform the Court in Egypt that the wife would relinquish all her rights, yet; by which I never got anything back. Moreover, when a wife is involved in an extramarital relationship with someone other than her husband she runs the risk of losing everything.

The Former Husband and Parent of a Minor Child are protected under the Laws of the United States and the Equal Protection of Rights under the Fourteenth Amendment of the United States Constitution.

The Fourteenth Amendment of the United States Constitution states specifically that no person shall be deprived equal rights, life and liberty, especially in child custody cases. Additionally, this provision of the Fourteenth Amendment prohibits states from denying a person equal protection of the law. I feel that my rights are being violated and because this is an International case and I believe that if things remain the same I will never see my daughter. Finally, this situation has damaged me emotionally , morally and financially.

CONCLUSION

Based on the foregoing statement of facts I am requesting that the United States assist me by supporting my legitimate rights in the US territories, and protecting my daughter to be

" When I come home, my daughter will run to the door and give me a big hug, and everything that's happened that day just melts away."

Attachment:

1. Mother's passport copy
2. Daughter Birth Certificate
3. Marriage Certificate
4. Divorce Certificate(Giving away her rights highlighted)
5. Father ID
6. Proof Of Residence
7. Child Medical Report
8. Medical insurance
9. Threats Identify theft trial by former in law
10. Supporting Documents

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42 U.S. Code § 5780 - State requirements

Current through Pub. L. 114-38. (See Public Laws for the current Congress.)

Each State reporting under the provisions of this section and section 5779 of this title shall—

(1) ensure that no law enforcement agency within the State establishes or maintains any policy that requires the observance of any waiting period before accepting a missing child or unidentified person report;

(2) ensure that no law enforcement agency within the State establishes or maintains any policy that requires the removal of a missing person entry from its State law enforcement system or the National Crime Information Center computer database based solely on the age of the person;

(3) provide that each such report and all necessary and available information, which, with respect to each missing child report, shall include—

(A) the name, date of birth, sex, race, height, weight, and eye and hair color of the child;

(B) a recent photograph of the child, if available;

(C) the date and location of the last known contact with the child; and

(D) the category under which the child is reported missing;

is entered within 2 hours of receipt into the State law enforcement system and the National Crime Information Center computer networks and made available to the Missing Children Information Clearinghouse within the State or other agency designated within the State to receive such reports; and

(4) provide that after receiving reports as provided in paragraph (3), the law enforcement agency that entered the report into the National Crime Information Center shall—

(A) no later than 30 days after the original entry of the record into the State law enforcement system and National Crime Information Center computer networks, verify and update such record with any additional information, including, where available, medical and dental records and a photograph taken during the previous 180 days;

(B) institute or assist with appropriate search and investigative procedures;

(C) notify the National Center for Missing and Exploited Children of each report received relating to a child reported missing from a foster care family home or childcare institution;

(D) maintain close liaison with State and local child welfare systems and the National Center for Missing and Exploited Children for the exchange of information and technical assistance in the missing children cases; and

(E) grant permission to the National Crime Information Center Terminal Contractor for the State to update the missing person record in the National Crime Information Center computer networks with additional information learned during the investigation relating to the missing person.

(Pub. L. 101–647, title XXXVII, §3702, Nov. 29, 1990, 104 Stat. 4967; Pub. L. 109–248, title I, §154(a), July 27, 2006, 120 Stat. 611; Pub. L. 114–22, title I, §116(b), May 29, 2015, 129 Stat. 244.)

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not returned before child custody ends at age 18. This is because child custody does not have anything to do with children's rights or welfare only parental rights.
This only applies to children before they turn 18 years old. This does not apply to children after they turn 18 and are legal an adult, then a custody order does not apply and they can decide where to live. This is because children are considered chattel (personal property) of the parents from birth until child custody ends at age 18.
In a International parental child abducted, if the child is located after there 18 birthday, legally, the court can only punish the abducting parent after the fact, but cannot force the child to return to the left behind parent in the United States.

The **International Parental Kidnapping Crime Act 1993 (IPKCA)** is a United States federal law. H.R. 3378, approved December 2, was assigned Public Law No. 103-173 and signed as Public Law 103-322 by President Bill Clinton on September 2, 1993.[1] This law makes it a federal crime to remove a child from the United States or retain a child outside the United States with the intent to obstruct a parent's custodial rights, or to attempt to do so (See 18 U.S.C. § 1204.) This crime is punishable by up to three years in prison. The law provides an affirmative defense where the abducting parent acted pursuant to a valid court order obtained under the Uniform Child Custody Jurisdiction And Enforcement Act, or where the abducting parent was fleeing domestic violence, or where the failure to return the child resulted from circumstances beyond the taking parent's control and the taking parent made reasonable efforts to notify the left behind parent within 24 hours and returned the child as soon as possible.[2] Since its enactment, the law has only been used in a very small minority of international child abduction cases prompting parents of internationally abducted children to claim an abuse of or prosecutorial discretion on the part of federal prosecutors.[*citation needed*]

2) MISSING CHILDREN ACT, 28 U.S.C. 534:

U.S. Department of States

*OMB APPROVAL NO. 1405-0169
EXPIRATION DATE: 02-28-2019
ESTIMATED BURDEN: 30 Minutes*

REQUEST FOR ENTRY INTO CHILDREN'S PASSPORT ISSUANCE ALERT PROGRAM

REQUEST FORM

To be filed by concerned parents of U.S. citizen children.

By signing this form you are affirming that your parental rights to this child have not been terminated by US court order.

1. Please provide information about the child in order to make the alert system effective. Please print clearly or type the information.

Child's Full Name *(Last, First, Middle)*			Date of Birth *(mm-dd-yyyy)*	Place of Birth
HANAFI	KARMA	SHAMEL	06-12-2012	CAIRO-EGYPT

Child's Sex	Social Security Number	U.S. Passport Number*(s)*, if any
☒ Female ☐ Male		

2. Please provide the following information about yourself so that we can acknowledge your request, and alert you in the future. Shamel Hanafi

Your Full Name *(Last, First, Middle)*			Documentation of Identity Provided
HANAFI	M	Shamel	☒ Driver's License ☐ Other Form of Photo Identification with Signature ☐ Passport

Relationship to Child Shown Above	Documentation of Parentage, Guardianship, Legal Custody OR Authority to Act on Behalf of Parent or Legal Guardian, as applicable
FATHER	☒ Birth Certificate ☐ Consular Report of Birth Abroad *(CRBA)* ☐ Adoption Decree ☐ Current Custody/ Guardianship Court Order*(s)* ☐ Evidence of Authority to Act on Behalf of Parent or Legal Custodian ☐ Other SSN

Mailing Address	City	State or Country	Postal Code
3116 Walton Way, Roswell	Atlanta	Georgia	30076

NOTE: Since the Department will need to contact you, it is very important that you keep us informed in writing or by telephone of any changes to your contact information. Failure to notify this office of your correct address and phone number may result in passport issuance for your child without your knowledge.

Egypt Roaming Phone Cell:	Work Phone	US Cell Phone	Email Address*(es)*
+201222112060		470-777-2072	S.hanafi@blackwater-mil.com

3.

☐ I request that the U.S. Department of State notify me if it receives a U.S. passport application for the above-mentioned child, or if an application is currently pending, or if there is any U.S. passport still valid for the child's travel.

☒ I object to the Issuance of a U.S. Passport to the Aforementioned Child, but I understand that under prescribed circumstances *(see 22 CFR 51.28)* the Department is authorized to issue the passport nonetheless.

Signature

12-06-2017
Date *(mm-dd-yyyy)*

Please read the Dual Nationality for Children information accompanying this form. It relates to a child who may have a foreign nationality in addition to U.S. nationality.

Please submit via e-mail, fax, or mail the completed form along with the proper copies of the original documents to the U.S. Department of State, Overseas Citizen Services, Children's Issues; Attention: Children's Passport Issuance Alert Program; SA-17, 9th Floor, Washington, DC 20522-1707; Email: PreventAbduction1@state.gov; Telephone Number 1-888-407-4747, Fax Number 202-485-6222.

From: "Hickey, Patricia K" <HickeyPK@state.gov>
Date: March 20, 2017 at 9:51:41 AM EDT
To: Shamel Hanafi <shamel.hanafi@gmail.com>
Cc: "Davis, Sharrell A" <DavisSA2@state.gov>
Subject: RE: Office of Children's Issues: HANAFI, Karma

Good morning, Mr. Shamel,pNational Crime Information Center (NCIC) entry. This action will serve locating Karma should she cross U.S. or international borders at some point.

As we discussed over the phone, and as noted in the letter, you may wish to document Karma's abduction by filing a missing persons report with your local law enforcement agency and have them follow up with a National Crime Information Center (NCIC) entry. This action will serve locating Karma should she cross U.S. or international borders at some point.

Please inform us as soon as you obtain custody of your daughter. I understand that you have filed for custody in an Egyptian court, and I encourage you to stay in contact with your attorney in Egypt in this regard. You may also wish to consider obtaining an attorney in Atlanta and filing for a custody order in Georgia.

Since you have not had contact with your daughter since the divorce, you can also request a Welfare Visit. Please let us know if you would like me to request the U.S. Embassy in Cairo to attempt to visit your daughter to report on her welfare.

Sincerely,

Patricia K. Hickey (Tish)
Country Officer
Office of Children's Issues
Bureau of Consular Affairs
U.S. Department of State
(202)485-6082
Official CLASSIFIED

Return To Starting Document Vol: Page: Get Document <<prior next>>

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This image is from the Revised Statutes (1878).

Public Law 103–173
103d Congress

An Act

Dec. 2, 1993
[H.R. 3378]

To amend title 18, United States Code, with respect to parental kidnapping, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

International Parental Kidnapping Crime Act of 1993.
18 USC 1201 note.

SECTION 1. SHORT TITLE.

This Act may be cited as the "International Parental Kidnapping Crime Act of 1993".

SEC. 2. TITLE 18 AMENDMENT.

(a) IN GENERAL.—Chapter 55 (relating to kidnapping) of title 18, United States Code, is amended by adding at the end the following:

"§ 1204. International parental kidnapping

"(a) Whoever removes a child from the United States or retains a child (who has been in the United States) outside the United States with intent to obstruct the lawful exercise of parental rights shall be fined under this title or imprisoned not more than 3 years, or both.

"(b) As used in this section—

"(1) the term 'child' means a person who has not attained the age of 16 years; and

"(2) the term 'parental rights', with respect to a child, means the right to physical custody of the child—

"(A) whether joint or sole (and includes visiting rights); and

"(B) whether arising by operation of law, court order, or legally binding agreement of the parties.

"(c) It shall be an affirmative defense under this section that—

"(1) the defendant acted within the provisions of a valid court order granting the defendant legal custody or visitation rights and that order was obtained pursuant to the Uniform Child Custody Jurisdiction Act and was in effect at the time of the offense;

"(2) the defendant was fleeing an incidence or pattern of domestic violence;

"(3) the defendant had physical custody of the child pursuant to a court order granting legal custody or visitation rights and failed to return the child as a result of circumstances beyond the defendant's control, and the defendant notified or made reasonable attempts to notify the other parent or lawful custodian of the child of such circumstances within 24 hours

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Public Law 103–175
103d Congress

An Act

Dec. 2, 1993
[S. 433]

To authorize and direct the Secretary of the Interior to convey certain lands in Cameron Parish, Louisiana, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONVEYANCE OF LANDS.

(a) IN GENERAL.—Subject to the limitations set forth in this section, the Secretary of the Interior (hereinafter in this Act referred to as the "Secretary") is directed to convey by quitclaim deed and without monetary consideration, all right, title, and interest of the United States in and to certain lands located in Cameron Parish, Louisiana, described as section 32, Township 15 south, Range 10 West, Louisiana Meridian, as depicted on the official plat of survey on file with the Bureau of Land Management, to the West Cameron Port Commission for use as a public port facility or for other public purposes. As used in this subsection, the term "other public purposes" means governmental or public welfare purposes (including, but not limited, to schools and roads) within the authority of a unit of local government under the laws of the State of Louisiana, and includes a commercial use by the West Cameron Port Authority of lands conveyed by the United States pursuant to this Act so long as the revenue from such use is devoted to such governmental or public welfare purposes.

(b) RESERVATION OF MINERALS.—The United States hereby excepts and reserves from the provisions of subsection (a) all minerals underlying the lands, including the right to enter and remove same.

(c) REVERSION TO THE UNITED STATES.—If the lands conveyed by the United States pursuant to this Act cease to be operated by the West Cameron Port Authority for use as a public port facility or for other public purposes, such lands shall revert to the United States: *Provided,* That the lands shall not revert if the Secretary determines that such lands, or any portion thereof, have become contaminated with hazardous substances (as defined in the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 and following)).

(d) RETENTION OF PROPERTY FOR COAST GUARD.—The Secretary, after consultation with the Coast Guard and the West Cameron Port Authority, shall except and reserve from such conveyance all right, title, and interest to approximately 3.0 acres of land known as the Calcasieu Pass Radio Beacon Site used by the Coast Guard, along with any improvements thereon, for the continued use and benefit of the Coast Guard.

United States Department of State

Washington, D.C. 20520

October 12, 2017

Mr. Shamel Hanafi
3116 Walton Way
Atlanta, GA 30076

Dear Mr. Hanafi:

Our records reflect that in March, 2017 you contacted our office to report that your daughter, Karma Hanafi, had been wrongfully removed to Egypt by her mother, Deanna Aal in July of 2016. Based on the information you provided, our office opened a report of abduction on behalf of your daughter on March 13, 2017. Your child was also entered into CPIAP; the case number is 1570354 for your reference.

Since March 2017, you have discussed with our office your efforts to hire an attorney and contact law enforcement to have your daughter entered into National Crime Information Center (NCIC) as a missing person. As our office has previously mentioned, inclusion of your daughter in the NCIC will serve to document your child's abduction, and may assist in locating Karma should she cross U.S. or international borders at some point.

If you need any assistance, or have any questions concerning your case, you may contact me at phone number 888-407-4747 or by email at MiddleEastIPCA@state.gov.

Sincerely,

Kelly C. Landry
Office of Children's Issues

SHAMEL HANAFI
3116 Walton Way • Atlanta, Georgia 30076
shamel.hanafi@gmail.com • +1 (470) 272-0206

March 12, 2019

United States Department of State
Office of Children's Issues
CA/OCS/CI
2201 C. St., NW
SA-17; 9th Floor
Washington, DC 20522-1709

RE: **2018CV310972 Order Denying Egyptian Custody Court order and Request for the Registration of Child Custody Determination in The US and not subject any future enforcement by the Superior Court.**

Submitted in support of Revocation of the Passport of Karma S. Hanafi, a Minor Child Parentally Abducted to Egypt

Dear Sir or Madam:

In support of my request to revoke the United States passport of Karma Shamel Hanafi, my minor child who has been parentally abducted to Egypt by my former wife and Karma's mother, Deanna Hussein Aal a/k/a Deanna Hussein Abdel'Aal, a/k/a Deanna Hussein Sayed Mohamed Abuseda, I submit the attached final court order denying child custody order issued from the Egyptian Family Court, and the above style subject is not subject to any future enforcement by the court.

Georgia UCCJEA
{{Ga. Code Ann. § 19-9-40 et seq§ 19-9-44. Child Custody Determinations Of Foreign Country
(c) A court of this state need not apply this article if the child custody law of a foreign country violates fundamental principles of human rights.}}

As Karma's father, I reserve all my rights to revoke the United States passport of Karma Shamel Hanafi until she is returned to her home country of the United States of America.

Thank you for your assistance in this most urgent and important matter.

Sincerely,

Shamel Hanafi

CONSULATE OF
THE ARAB REPUBLIC OF
EGYPT
WASHINGTON, D.C.
Seen for the legalization of the
signature of the U.S.
State and of the seal affixed
Department of State without any
responsibility as to the part of the
authorities of the Arab Republic of
Egypt as to the contents.
55

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FILED IN OFFICE
FEB 27 2019
DEPUTY CLERK SUPERIOR COURT
FULTON COUNTY, GA

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA
FAMILY COURT

DEANNA H AAL,
Petitioner,

v.

SHAMEL HANAFI,
Respondent.

§ CIVIL ACTION FILE NO. 2018CV310972

ORDER DENYING REQUEST FOR REGISTRATION OF CHILD CUSTODY DETERMINATION

The above-styled matter came before this Court for a hearing pursuant to *Respondent's Objection to Request for Registration of Child Custody Determination* pursuant to O.C.G.A. §§ 19-9-85(c)(2) and 19-9-85(d) on January 15, 2019. Present for said hearing were the following: DEANNA H AAL, Petitioner, JENNIFER C. SUGGS and MARIJANE E. CAUTHORN, Counsel for Petitioner, SHAMEL HANAFI, Respondent, and ANGELA M. KINLEY, Counsel for Respondent. After reviewing evidence and testimony of both parties, hearing argument of counsel and considering all matters of record, the Court makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1.

Petitioner filed her *Request for Registration of Child Custody Determination* (hereinafter referred to as the "Request") on October 16, 2018 and Respondent was properly served with process pursuant to the Affidavit of Process Server filed on October 16, 2018.

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2.

Pursuant to O.C.G.A. §§ 19-9-85(c)(2) and 19-9-85(d), Respondent timely filed his objection to the Request and requested a hearing to contest the validity of the Request.

3.

The Court finds that the parties were previously married and are parents of one (1) minor child, to wit: K.S.H., a female child, birth year 2012 (hereinafter referred to as the "Child"). The Court finds that the Child is a citizen of the United States as set forth on the Child's birth certificate which was admitted into evidence.

4.

The Court finds that the issuing court of the documents sought to be registered by Petitioner did not have personal jurisdiction or subject matter jurisdiction of the child custody matter, as contemplated by O.C.G.A. § 19-9-85(d)(1). The Court finds that Respondent was not a resident of Egypt nor did Respondent maintain any domicile in Egypt at the time Petitioner herein filed the child custody action in Egypt, that at the time of filing of the child custody action in Egypt, Respondent was a resident of Fulton County, Georgia and that Petitioner was aware of Respondent's physical address and domicile in the United States of America. Finally, the Court finds that Respondent did not waive or consent to the jurisdiction of the Egyptian courts for the purpose of the custody action filed by Petitioner.

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5.

The Court finds that Respondent herein was entitled to notice of the child custody proceedings sought to be registered by Petitioner, but that notice was not given in accordance with the standards of O.C.G.A. § 19-9-47 before the court that issued the order for which registration is sought, as contemplated by O.C.G.A. § 19-9-85(d)(3). The Court finds that Respondent was not served with process in a manner reasonably calculated to give actual notice of the Egyptian custody proceedings.

6.

The Court further finds that Petitioner herein was represented by counsel regarding the proceedings for child custody in Egypt and by counsel regarding an action for child custody which was pending in the Superior Court of Fulton County, to wit: *Shamel Hanafi v. Deanna Hussein Aal*, Civil Action File No. 2017CV288779, at the time of filing of Petitioner's proceedings for child custody in Egypt, and that despite being represented by counsel in both actions, neither attorney made any effort to provide any courtesy copy of the Egyptian pleadings to Respondent or Respondent's counsel in the Fulton County custody action.

CONCLUSIONS OF LAW

The Court hereby **DENIES** the Request for Registration of Child Custody Determination pursuant to O.C.G.A. §§ 19-9-85(d)(1) and 19-9-85(d)(3) based on its findings that the issuing court for the documents sought to be registered did not have personal jurisdiction over the Respondent nor subject matter jurisdiction of the child custody action and, further, Respondent was not served properly with notice of the child custody proceedings in Egypt. Accordingly, the Egyptian child custody orders sought to

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be registered by Petitioner in the above-styled matter are denied registration and are not subject to enforcement by the Court.

SO ORDERED this 27th day of February, 2019, *nunc pro tunc*, January 15, 2019.

HONORABLE BELINDA E. EDWARDS
Fulton County Superior Court
Family Division

Prepared by:
Angela M. Kinley
Attorney for Respondent
Georgia State Bar No. 159097
3400 Peachtree Road NE
Suite 1011
Atlanta, Georgia 30326
(404) 784-7186
angela@kinleylaw.com

State of Georgia, County of Fulton
I certify that this is a true and correct copy
of a document in the possession of
Shamel Hanafi
Dated 3/1/19
Notary Public

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IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA
FAMILY COURT

DEANNA H AAL, Petitioner,	§	
v.	§	CIVIL ACTION FILE NO. 2018CV310972
SHAMEL HANAFI, Respondent.	§	

OBJECTION TO REQUEST FOR REGISTRATION OF CHILD CUSTODY DETERMINATION
and
REQUEST FOR HEARING PURSUANT TO O.C.G.A. § 19-9-85

COMES NOW, SHAMEL HANAFI, Respondent in the above-styled matter, by and through his counsel of record, and files this *Objection to Request for Registration of Child Custody Determination and Request for Hearing Pursuant to O.C.G.A. § 19-9-85* (hereinafter referred to as the "Objection") and in support of same, respectfully shows the Court as follows:

1.

Respondent shows that the Affidavit of Process Server evidencing service upon him of the above-styled *Request for Registration of Child Custody Determination* (hereinafter referred to as the "Request") was filed on October 16, 2018.

2.

Pursuant to O.C.G.A. §§ 19-9-85(c)(2) and 19-9-85(d), Respondent hereby timely requests a hearing to contest the validity of the registered determination.

3.

Respondent shows that Request should be denied by this Court on the grounds that the issuing court did not have personal jurisdiction or subject matter jurisdiction, as

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contemplated by O.C.G.A. § 19-9-85(d)(1); that Respondent herein was entitled to notice of the proceedings sought to be registered, but that notice was not given in accordance with the standards of O.C.G.A. § 19-9-47 before the court that issued the order for which registration is sought, as contemplated by O.C.G.A. § 19-9-85(d)(3); and pursuant to general principles of federal and international law applicable to acknowledgment of foreign judgments.

4.

Respondent shows that the minor child of the parties, to wit: K.S.H., a female child, birth year 2012 (hereinafter referred to as the "Child") is a citizen of the United States. Respondent shows that he was previously married to Petitioner at the time Petitioner wrongfully removed the Child from the United States, and refused to return the Child to the United States thereafter with the intent to obstruct Respondent from the exercise of lawful parental rights in violation of 18 U.S.C. 1204.

5.

Respondent shows that Petitioner has wrongfully denied Respondent parental rights to the Child since 2016 and obtained the order sought to be registered by the Request by perpetrating fraud on the Egyptian court, including providing false evidence of notice on Respondent of the Egyptian custody action and making false statements to the court regarding jurisdictional elements of the case required to establish subject matter jurisdiction of a custody action and personal jurisdiction of the Respondent in Egypt.

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6.

Respondent shows that he never received any notice of any proceedings regarding child custody or support filed by Petitioner in Egypt and furthermore, that at the time Petitioner alleged to have perfected service on Respondent in Egypt, Respondent can conclusively prove that he was not in Egypt and was not capable of receiving personal service of any legal documents.

7.

Respondent shows that Petitioner further perpetrated fraud on the court in obtaining the order sought to be registered by the Request in violating 18 U.S.C. 1204 and retaining the Child in Egypt despite numerous demands by Respondent that Petitioner return the Child to the United States and subsequently filing a custody action in an Egyptian court, seeking sole custody of the Child without informing the Egyptian court of her unlawful conduct in obtaining and retaining physical custody of the Child outside of the United States.

8.

Respondent shows that the order sought to be registered by the Request awards sole legal and physical custody of the Child to Petitioner and grants no parental rights, whatsoever, of the Child to Respondent and that such denial is contrary to the best interest of the child standard applied by this Court in making child custody determinations pursuant to O.C.G.A. § 19-9-3 as there is no evidence that the Egyptian court gave any consideration to the factors set forth therein.

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Respondent shows that O.C.G.A. § 19-9-3(a)(1) states:

> "In all cases in which the custody of any child is at issue between the parents, there shall be no prima-facie right to the custody of the child in the father or mother. There shall be no presumption in favor of any particular form of custody, legal or physical, nor in favor of either parent."

Respondent shows that in addition to the plain language of O.C.G.A. § 19-9-3(a)(1), Georgia public policy and legal principles favor children having a positive, loving relationship with *both* parents and highly disfavor sole custody arrangements, except in extreme cases involving lack of parental fitness or child abuse. As evidence thereof Respondents refers to O.C.G.A. § 19-9-3(d) which states:

> "It is the express policy of this state to encourage that a child has continuing contact with parents and grandparents who have shown the ability to act in the best interest of the child and to encourage parents to share in the rights and responsibilities of raising their child after such parents have separated or dissolved their marriage or relationship."

The relief sought in the Request would wholly circumvent the procedural due process rights of Respondent and the Child and effectively terminate the parent/child relationship between Respondent and the Child as Petitioner would be permitted to deny any contact or communication between them based on the terms of the Egyptian court order, which would not be subject to modification thereafter except by an Egyptian court.

Respondent further shows that Egypt has not signed the Hague Convention on the civil Aspects of International Parental Child Abduction and that Egypt does not recognize, nor give any enforcement to, any child custody order issued by a court of the United

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States. Accordingly, there is no comity between Egypt and the United States of America upon which to base recognition of a judgment entered by an Egyptian court.

11.

Respondent shows that Egyptian courts apply specific Sharia law to child custody cases which favor custody in the mother and create a presumption in favor of the mother. Accordingly, courts in the United States of America have previously refused to treat Egypt as a "state" for purposes of the Uniform Child Custody Jurisdiction and Enforcement Act and have found that Egyptian courts have no child custody jurisdiction as there is "clear and convincing evidence that Egyptian child custody laws violate fundamental principles of human rights."

13.

Respondent shows the Request should be denied as the terms of the order sought to be registered are substantively incompatible with Georgia laws regarding child custody and fail to promote the best interest of the Child. Additionally, Respondent shows that the Request should be denied pursuant to O.C.G.A. § 19-9-85 because the Egyptian court did not have jurisdiction over the Respondent or the subject matter of the child custody action and Respondent was not served properly with notice of the child custody proceedings in Egypt. Moreover, Respondent was not afforded a proper opportunity to be heard, said proceedings were tainted with fraud perpetrated by Petitioner herein, and the judgment rendered in said proceedings offends public policies established by the courts of the State of Georgia and United States of America.

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14.

Respondent shows that he has incurred attorney's fees and expenses of litigation in responding to the *Request for Registration of Child Custody Determination* and accordingly, Respondent is entitled to an award of attorney's fees and expenses of litigation against Petitioner.

WHEREFORE, Respondent prays:

(a) That a Rule Nisi issue requiring Petitioner show cause, if any, as to why the demands of the Respondent should not be granted;

(b) That the Court deny all relief sought by Petitioner in the *Request for Registration of Child Custody Determination*;

(c) That the Court award Respondent reasonable attorney's fees and expenses of litigation; and

(d) That Respondent have such other and further relief as the Court deems just and proper.

This 26th day of October, 2018.

ANGELA M. KINLEY, P.C.

ANGELA M. KINLEY
Attorney for Respondent
Georgia State Bar No. 159097

3400 Peachtree Road NE
Suite 1011
Atlanta, Georgia 30326
(404) 784-7186
angela@kinleylaw.com

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IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA
FAMILY COURT

DEANNA H AAL, Petitioner,	§	
v.	§	CIVIL ACTION FILE NO. 2018CV310972
SHAMEL HANAFI, Respondent.	§	

CERTIFICATE OF SERVICE

This is to certify that I have this day served the counsel for Petitioner with a copy of the foregoing *Objection to Request for Registration of Child Custody Determination and Request for Hearing Pursuant to O.C.G.A. § 19-9-85* by Statutory Electronic Service to: mec@cauthornnohr.com and jcs@cauthornnohr.com and by depositing a copy of same in the United States Mail, with sufficient postage affixed thereon to ensure proper delivery of same, addressed as follows:

Marijane E. Cauthorn, Esq.
Jennifer C. Suggs, Esq.
Cauthorn Nohr & Owen
212 Church Street
Marietta, GA 30060

This 26th day of October, 2018.

ANGELA M. KINLEY, P.C.

ANGELA M. KINLEY
Attorney for Respondent
Georgia State Bar No. 159097

3400 Peachtree Road NE
Suite 1011
Atlanta, GA 30326
(404) 784-7186
angela@kinleylaw.com

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Appendix A

Gmail THE ROCK <shamel.hanafi@gmail.com>

Hanafi, Karma - Status Letter - 12OCT17

MiddleEastIPCA <MiddleEastIPCA@state.gov> Thu, Oct 12, 14:54
To: shamel.hanafi@gmail.com <shamel.hanafi@gmail.com>
Cc: MiddleEastIPCA <MiddleEastIPCA@state.gov>

Dear Mr. Hanafi,

I am the Case Assistant assisting Country Officer Kelly Landry, with whom you spoke regarding the wrongful removal of your child to Egypt. Attached to this email you will find a letter from Ms. Landry detailing the status of your child's abduction report.

Should you have any questions, do not hesitate to reach out to Ms. Landry. She can be reached by phone at 888-407-4747 or by email at MiddleEastIPCA@state.gov.

Sincerely,

Joanna Spinolo
Case Assistant, NESCAF Abductions
Office of Children's Issues | Overseas Citizen Services
U.S. Department of State | Bureau of Consular Affairs

Official - Privacy/PII

UNCLASSIFIED

image001.gif, Hanafi Karma - Status Letter - 12OCT17.pdf

Ban on sharia law In The United States

> A ban on sharia law is legislation which prohibits the application of the or implementation of Islamic law (sharia) in courts in any civil (non-religious) jurisdiction In the United States,

1 Ban Of Sharia Law

The United States have "banned Sharia law", or passed some kind of ballot measure that "prohibits the states courts from considering foreign, international or religious law." As of 2014 these include Alabama, Arizona, Kansas, Louisiana, North Carolina, South Dakota and Tennessee.[1] In Canada, Sharia law is explicitly banned in Quebec, upheld by a unanimous vote against it in 2005 by the National Assembly,[2] while the province of Ontario allows family law disputes to be arbitrated only under Ontario law.[3]

United States.

Constitutional prohibitions and accommodations

Because of the Establishment Clause of the United States Constitution, no religious tradition can be established as the basis of laws that apply to everyone, including any form of sharia, Christian canon law, Jewish halakha, or rules of dharma from Eastern religions. Laws must be passed in a secular fashion, not by religious authorities. The Free Exercise Clause allows residents to practice any religion or no religion, and there is often controversy about separation of church and state and the balance between these two clauses when the government does or does not accommodate any particular religious practice (for example blue laws that require stores to be closed on Sunday, the Christian holy day).

Direct consultation of any religious law, including any form of sharia, is relatively rare in U.S. jurisprudence, and is generally limited to circumstances where the government is accommodating the religious belief of a specific person. This occurs mainly in matters of arbitration and family law. For example, the law may allow parties to submit a dispute for binding arbitration to a mutually agreed- upon religious authority; mandatory arbitration by a specified or mutually-agreed arbitrator is also a common clause in commercial and labor union contracts. Couples with the same religious beliefs may wish to construct marriage contracts and conduct divorces in concordance with those beliefs, and people may also wish to arrange wills and other financial matters in accordance with their own religious principles. If presented as evidence, devotion to peaceful religious principles, along with many other aspects of personality, is commonly considered when judging the character of a person before the law, for example during sentencing or a parole hearing.

Despite the Free Exercise Clause, the 1878 Supreme Court decision in Reynolds v. United States (which concerned the conflict of the Mormon practice of polygamy with anti-bigamy laws) affirmed that secular laws still apply when they contradict religious practices, unless a superseding law establishes a right to a religious accommodation. This means that belief in sharia cannot be used by itself as a justification for vigilante stonings or to prevent women from filing for divorce.

2 Background of controversy

In June 2009, a family court judge in Hudson County, New Jersey denied a restraining order to a woman who testified that her husband, a Muslim, had forced her to have non-consensual sex. The judge said he did not

believe the man "had a criminal desire to or intent to sexually assault" his wife because he was acting in a way that was "consistent with his practices." A state appeals court reversed his decision.[4] Advocates of the ban in the U.S. have cited this case as an example of the need for the ban.[5]

As of 2014 more than two dozen U.S. states have considered measures intended to restrict judges from consulting sharia law. Arizona, Kansas, Louisiana, South Dakota, Tennessee, North Carolina, Alabama and Texas[6][7] have "banned sharia", i.e., passed foreign law bans.[1] In 2010 and 2011 more than two dozen states "considered measures to restrict judges from consulting Shariah, or foreign and religious laws more generally".[8] As of 2013, all but 16 states have considered such a law.[1]

In November 2010, voters in Oklahoma approved a ballot measure to amend the state constitution to ban sharia from state courts.[9][10] The law was then updated to include all foreign or religious laws.[11] The law was challenged by an official of the Council on American-Islamic Relations. In November 2010 a federal judge ruled the law to be unconstitutional and blocked the state from putting it into effect.[12][not in citation given][13] The court found the ban had the potential to do harm to Muslims. The invalidation of a will and testament using sharia instructions was an example.[14] That ruling and injunction were upheld by the Tenth Circuit Court of Appeals on January 10, 2012.[15]

Missouri also passed a measure banning foreign law in 2013, but Gov. Jay Nixon vetoed the bill "because of its potential impact on international adoptions."[1]

Two other states banning sharia were North Carolina, which prohibited state judges from considering Islamic law in family cases in 2013,[16] and Alabama, where voters passed an Amendment to the State Constitution (72% to 28%) to "ban sharia" in 2014.[17]

3 Supporters

David Yerushalmi has been called the founder of the movement in America and is described by The New York Times as "working with a cadre of conservative public-policy institutes and former military and intelligence officials"[8] and to pass legislation, "a network of Tea Party and Christian groups" as well as ACT! for America.[8] According to him, the purpose of the anti-sharia movement is not to pass legislation banning sharia law in the courts but "to get people asking this question, 'What is Shariah?'".[8][18]

In 2011, Republicans Sarah Palin, Newt Gingrich and Michele Bachmann warned about what they saw as the threat of shariah law.[18] During the lead-up to Newt Gingrich's presidential campaign 2012, he described sharia law as a "mortal threat" and called for its ban throughout America.[19] Sarah Palin has been quoted as saying that if shariah law "were to be adopted, allowed to govern in our country, it will be the downfall of America."[8]

At a press conference in the U.S. Capitol,[20] some Republican members of the United States Congress endorsed a new memorandum, based on a Center for Security Policy (CSP) report, Shariah: The Threat to America.

4 Analysis

A 2013 report by the Brennan Center for Justice warned that the bans may have the unintended effects of invalidating prenuptial agreements and court decisions made in other states where arbitrators may have taken into account Islamic, Jewish or Catholic legal norms. Randy Brinson, the president of the Christian Coalition of Alabama, criticized the ban in Alabama, calling it "redundant and a waste of time".[1]

Historian Justin Tyler Clark argues that the rise of an anti-Sharia movement in the US, more than a decade after the September 11 attacks, is in part a reaction to increasing political correctness in the American society. Clark compares the phenomenon to the 19th century anti-Catholic movement in the US, which, he writes, rose largely in reaction to changes in middle-class American etiquette, interpreted by the nativists as encroachment

of an alien ideology on their own social norms.[21]

According to Sadakat Kadri, the ban on sharia laws notwithstanding, "the precepts of Islamic law ... have judicial force in the United States already", among Muslims who have had a dispute settled by Muslim conciliators. The 1925 Federal Arbitration Act allows Muslims, Christians, Jews, etc. to use religious tribunals to arbitrate disagreements and "the judgements that result are given force of law by state and federal courts". The statute "preempts inconsistent state legislation", such as laws to ban sharia.[22]

For American Jews who choose to obey its rulings, a Beth Din (Rabbinical court) "may not merely decide the legal rights of devout Jews; in some cases it may formally forbid believers from pursuing complaints through the secular judicial system without prior authority from a rabbi. And Muslims can also have their inheritance, business, and matrimonial disputes sorted out by Islamic scholars, who attempt to decide them according to the sharia."[22] While the US Congress could in theory repeal the act, it could not ban arbitration by Muslims while leaving other religious conciliators free to continue their work. "Any reform would have to impact equally on all faith communities, and it is not only Muslims who would object if federal legislators presumed to do that."[22]

Canada

Sharia law is explicitly banned in Quebec, upheld by a unanimous vote against it in 2005 by the National Assembly.[23]

In Ontario there was a "heated 20-month controversy" after Toronto lawyer Syed Mumtaz Ali declared in 2004 that an “Islamic Institute of Civil Justice” would begin "arbitrating family matters on the basis of sharia law", accompanied by a warning that Muslims who did not submit cases to Islamic arbitration panels were (according to Ali) not “good Muslims.”[24] In 2005, Ontario Premier Dalton McGuinty stated, "There will be no sharia law in Ontario. There will be no religious arbitration in Ontario. There will be one law for all Ontarians." This referred to McGuinty's plan to rescind the 1991 Arbitration Act, which made arbitration decisions according to religious laws enforceable in Ontario courts.[24] Opposing Ali were "anti-tribunal" forces of "politically savvy women’s groups, some of them composed of Muslim women", who feared women’s equality rights being violated. [24] In 2006, the province of Ontario banned arbitration of family law disputes under any body of laws except Ontario law, in part to prohibit arbitration under religious laws.[3]

2❧

Western Europe

United Kingdom

In the United Kingdom, Sharia has also become a political issue. A "One law for all" campaign[25] seeks to ban sharia councils and arguing this is "the only way to end discrimination suffered by Muslim women".[26] In 2015, the Conservative Party Home Secretary Theresa May called for an investigation into the application of sharia law in England and Wales if Conservatives win the General Election. A day later the mayor of London, Boris Johnson, told a radio interviewer, he was opposed to "a Sharia system running in parallel with UK justice."[27]

The issue arose in 2008, when the former Archbishop of Canterbury Rowan Williams 'suggested it was "inevitable" that elements of Sharia would be incorporated in British law.' Since then, "Sharia courts" have "never been far from tabloid headlines", according to Myriam Francois-Cerrah.[26] As of 2014, there were reported to be around 85 "shariah courts" in the UK,[26][28] operated by two rival services – Islamic Sharia Council and the newer, smaller, less strict Muslim Arbitration Tribunal.[26][29] The councils/tribunals provide arbitration that is voluntary but legally binding, are "officially mandated" and set up outside the court system[29] like another

non-secular arbitration institution, the longstanding rabbinical tribunals.[30]

The council/tribunals are defended as providing an essential service for pious Muslims who would simply work with non-government mandated Sharia councils if the government abolished the mandated ones.[26] But they are also criticized for taking the man's side in rulings,[26] for example advising women to forfeit their mahr (marriage dower) in exchange for a divorce.[30][31] According to legal historian Sadakat Kadri, the Muslim Arbitration Tribunal has "no jurisdiction over criminal matters or cases involving children." A UK-trained lawyer sits "on all its panels, and every decision" is subject to judicial review – "meaning that it was subject to reversal if it disclosed unfair procedures, human rights violations, or any other step that ordinary court considered contrary to the public interest."[22] According to Kadri, British Muslims neither know nor care about the criminal penalties of Sharia law (tazir and hudud)[22] but seek much less controversial services.

A woman whose husband has abandoned her without speaking the words of release required by the Quran might approach a mufti in search of an annulment. Senior figures in a community will pay visits to the homes of disruptive teenagers to remind them of their religious roots. Muslims who are prudent as well as pious might ask scholars to tell them which mortgage and insurance products are consistent with Islamic jurisprudence.[22]

In addition to the sharia law of the councils and tribunals, there have also been reports of "vigilante sharia squads" in some places, such as Whitechapel, East London.[29][32] The legal system of the United Kingdom treats these squads as criminals.[33][34]

Germany

Sharia law is part of Germany's private law through the regulations of the German international private law.[35] Its application is limited by the ordre public.

In September 2014, a small group of Muslims wearing mock police uniforms patrolled the streets of the western German city of Wuppertal. They "reportedly hovered around sites like discotheques and gambling houses, telling passers-by to refrain from gambling and alcohol". Following the incident the Interior Minister Thomas de Maizière told the daily newspaper Bild, "Sharia law is not tolerated on German soil."[36] The leader of the "police", Salafist Sven Lau, responded by saying the "sharia police" "never existed" and he only wanted to "raise attention" to sharia. The Central Council of Muslims in Germany (ZMD) condemned the activities.[37]

Greece

The issue of the supremacy of sharia has arisen in Greece where a Muslim woman (Chatitze Molla Sali), was left her husband's estate in his will (a Greek document registered at a notary’s office) when he died in March 2008. Her in- laws immediately challenged the bequest with the local mufti (a Muslim jurist and theologian) in the name of sharia law, "which forbids Muslims to write wills" (Islamic law rather than the inheritee determining who gets what from the estate of the deceased).[38] Molla Sali took the dispute to a civil court where she won, but in October 2013, the Greek Supreme Court ruled against her and "established that matters of inheritance among the Muslim minority must be resolved by the mufti, following Islamic laws", in accordance with the 1923 Treaty of Lausanne between Greece and Turkey. Sali has appealed the decision to the European Court of Human Rights.[38]

Muslim-majority countries

Although Turkey is a Muslim-majority country, since Kemal Atatürk's reforms and the creation of the Republic of Turkey, Sharia law was banned in 1924 and new westernized civil and penal codes were adopted in 1926.[39][40]

In Tunisia some forms of Sharia law were banned.[41] See also

DATE: JULY 19TH.. 2017

CHIEF RUSTY GRANT.
CHIEF OF POLICE
CITY OF ROSWELL POLICE DEPARTMENT
39 HILL STREET
ROSWELL, GA 30075

REFERENCE : PETITION CHILD KARMA S. HANAFI

SECOND NOTICE AND REQUEST REGARDING OPEN MATTER WITH US DEPARTMENT OF STATE OFFICE OF CHILD ABDUCTION CASE

1704-000206

KARMA SHAMEL HANAFI

Abduction Date July 23rd.2016
D.o.B. June 12th.2012

Submitted by: Shamel Hanafi / Father

This Notice and Request is being delivered as a follow up to my initial letter dated April 16th of this year which requests for the abduction of my **daughter, Karma Shamel Hanafi**, to be entered in the National Crime Information Center (NCIC).

I.

As referenced in my prior correspondence, Karma was abducted on July 23, 2016 by my former wife Deanna H Aal when she took Karma to Egypt on a vacation with the intent to return. As of today's date, Karma still has not been returned to the United States. For your reference, 18 U.S.C. § 1204 regarding international parental kidnapping makes it a federal crime for a parent to remove or attempt to remove a child from the United States, or retain a child outside the United States with intent to obstruct another parent's custodial rights. According to 18 U.S.C. § 1204, a parent who removes a child from the United States in this capacity is subject to federal prosecution. As part of the Congressional effort to reduce the number of child abduction incidents in the United States, Congress has delegated the US Department of State Office of Child Abduction to provide the government backing required to communicate with international agencies. However, it is *not* the responsibility of the US Department of State Office of Child Abduction to report child abduction incidents to the NCIC. This duty specifically lies with local law enforcement authorities-please see email from the Department of State in regards to this point. If you have any hesitancy about this point, please specifically follow up with Counselor Patricia Hickey in the Department of State's Office of Child Abduction for further directions.

II.

I have previously submitted information which suffices to show that **Deanna H Aal as well my former Father in Law Hussein S Aal, removed Karma from the United States** to another country in order to keep her away from her home in the US and with no intent of return. I have further submitted evidence which suffices to show that Deanna H Aal had no custodial rights to permanently remove Karma from the US or deprive me of my custodial rights.

III.

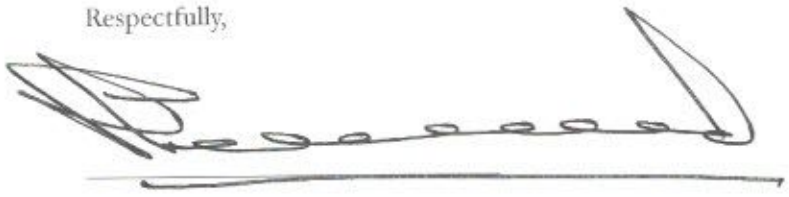
To this date, Karma's abduction has still not been entered into the NCIC system. The lack of cooperation by the City of Roswell Police Department, impairs the ability of other law enforcement bodies to track the transportation of Karma's across international borders. Further, the Roswell Police Department is mandated by several sources of authority to report child abduction to the NCIC: Titles 18 & 28 of the US Code; The Parental Kidnapping Prevention Act; The uniform Child Custody Jurisdiction and Enforcement Act; and The Uniform Child Custody Jurisdiction Act. Additionally, as a civic the conduct of the Roswell Police Department is further regulated by (42 U.S.C. § 14141) which makes it unlawful for State or local law enforcement officers to engage in a pattern or practice of conduct that deprives persons of rights protected by the Constitution or laws of the United States.

IV.

I am requesting that the Roswell Police Department Immediately perform its duties and report this incident to the NCIC. I further request that the Roswell Police Department cooperate and contact any other agency in order to ascertain additional subject matter knowledge or information as required by law. Lastly, considering the length of time that has elapsed, I request that this matter be handled expeditiously in order to cause no further delay.

Please notify me immediately of any expected delay.

Respectfully,



Date : July 19th. 2017[1]

Shamel Hanafi
3116 Walton Way
Atlanta, GA 30076

April 16th. 2017

Roswell Police Department

39 Hill street, Roswell

Fulton county

GA 30075

Subject: US Department Of State-Office -abduction & filing a missing person report :

case # 1704-000206 on 04/07 /2017

Dear Sirs,

Based the Department Of State s recommendation (mail attached) Kindly be informed I filed parental international abduction police report on April 4th. 2017 , at Roswell police department case # 1704-000206 , I would appreciate your assistance in providing me with a copy of the report, meanwhile, please let me know if it's easier and faster to pass by the R.P.D. records department tomorrow and obtain the copy if it's ready. On a separate note , and as stated in below mail received from the Department Of State ;

"abduction by filing a missing persons report with your local law enforcement agency and have them follow up with a National Crime Information Center (NCIC) entry. This action will serve locating Karma should she cross U.S. or international borders at some point. "

Or I still need to report the case by self to the (NCIC) , ? as this action will serve locating my child should she cross the US border or international borders at some point.

Kind regards,

Shamel Hanafi
3116 Walton Way
Atlanta GA 30076
Cell: 470-272-6553

Attachment:

1. U.S. Department Of State letter
2. Proceeds of filing international missing person/abduction
3. Petitioner Letter To U.S. D.o.S.
4. Divorce Certificate from Egyptian Court
5. Former wife S.S.N.
6. Child/ Karma B.C.

Cell : 470-272-0206

Enclosures:

- ✓ Initial Pledge addressed to US Department Of State
- ✓ Custody court case in Fulton Supreme Court.
- ✓ Former Spouse Passport & SSN – Copy
- ✓ Former Father in Law DL – Copy
- ✓ Karma S Hanafi Photo, Birth Certificate- Copy
- ✓ Former Wife Photo – Former Father in Law Photo
- ✓ Juridical Backup References (DoJ -Attorney General –Congress Library and similar cases)
- ✓ All necessary backups proof required I.e. Health insurance, school tuition, home contract, etc…)

Copy To:

N.S.I.S STATE

N.S.I.S. FEDRAL

ATTORNEY GENERAL STATE

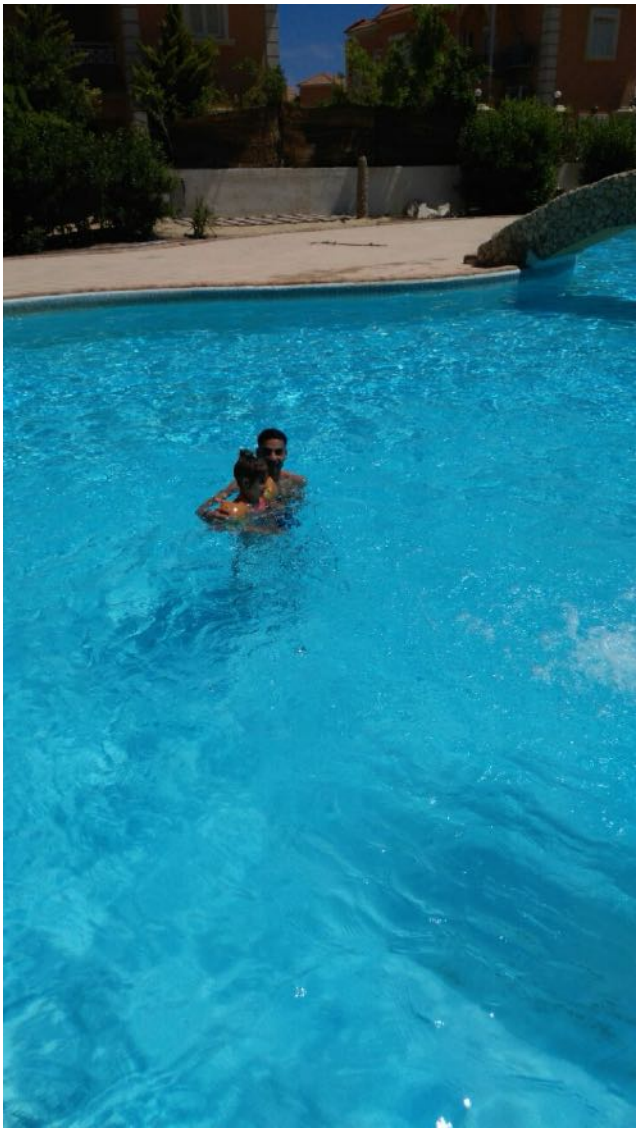
ATTORNEY GENERAL FEDRAL

DOS

NECMEC

RETURN SAFE

1



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Tel 22567808 - 24506219
37, Kasr El Nil St., - Cairo
Tel : 23922124

cus-kar

TRANSLATION

ARAB REPUBLIC OF EGYPT

OFFICE OF CHANCELLOR YEHIA ABDELMEGUID
LAWYER
BEFORE THE COURT OF CASSATION, THE HIGHER ADMINISTRATIVE & CONSTITUTIONAL COURT
LEGAL CONSULTATIONS & ARBITRATION
16 El Sobky Street, behind Heliopolis Club, Heliopolis

Subject-Matter: Re-notification & offering reconciliation regarding Lawsuit number 1859/2017/Heliopolis Family Court,
In implementation to the Court Decision

The Plaintiff's Lawyer
Chancellor Yehia Abdelmeguid
Signature & seal

On Tuesday, February 6, 2018

Acting at the request of Mrs. ***DEANNA HUSSEIN MOHAMED ABUSEDA***, domiciled at Villa number 382, El Golf West, Fifth Settlement, New Cairo, whose elected domicile is the Office of Chancellor Yehia Abdelmeguid, Lawyer before the Court of Cassation, the Higher Administrative & Constitutional Court, headquartered at 16 El Sobky Street, behind Heliopolis Club, Heliopolis, Cairo,

I, Walid Hamdy, Bailiff of the Family Court, proceeded and notified:

Mr. ***SHAMEL MOHAMED MOHAMED HANAFY***, domiciled at 27 Hassan Sadek Street, Heliopolis, addressing: The Commissioner of the Police Office as the house was closed,

& notified him of the following:

The Plaintiff filed lawsuit number 1859 for the year 2017 before Heliopolis Family Court, requesting at the end of her lawsuit citation a ruling imposing payment of alimony for her minor ***KARMA SHAMEL MOHAMED MOHAMED HANAFY***, of all types, including food, clothes, housing and others. The hearing of December 23, 2017 was fixed as a starting hearing for this lawsuit, and at that hearing the respectful court decided to postpone the case to the hearing of February 10, 2018 for re-notifying the Respondent, offering reconciliation and investigation.

I, Karim Nemah, hereby affirm that I am competent to translate the attached document from Arabic into English and that translation is accurate.

Authorship & Translation
Scientific Bureau
FOUAD NEMAH
14(a) Sherif, St. Heliopolis
Tel 22567808 - 24506219

مكتب المحامي
يحيى عبد المجيد
المحامي
بالنقض والإدارية والدستورية العليا
والاستشارات القانونية والتحكيم
١٦ ش السبكي - خلف نادي هليوبوليس
مصر الجديدة
ت: ٢٤١٨٥٤٨٨ / ٢٤١٨٥٠٨٨ فاكس: ٢٤١٩٢٩٠٩

عاجل

٢٠٥٦

إنه في يوم السبت الموافق ١٠/٢/٢٠١٨ الساعة ١٠ صباحاً

الموضوع

إعادة إعلان وعرض الصلح في الدعوى رقم ١٨٥٩ لسنة ٢٠١٧ أسرة مصر الجديدة

تنفيذاً لقرار المحكمة

بناءً على طلب السيدة/ دينا حسين محمد أبو سعدة – والمقيمة بفيلا رقم ٣٨٢ غرب الجولف بالتجمع الخامس – القاهرة الجديدة، ومحلها المختار مكتب المستشار/ يحيى عبد المجيد المحامي بالنقض والإدارية والدستورية العليا الكائن مقره في ١٦ شارع السبكي – خلف نادي هليوبوليس – مصر الجديدة – القاهرة.

أنا ولید محمدی محضر محكمة أسرة انتقلت وأعلنت:

السيد/ شامل محمد محمد حنفي
المقيم برقم ٢٧ شارع حسن صادق – مصر الجديدة.
مخاطباً مع// السيد ماسؤول الأمن بالعقار نظر الملكة

وأعلنته بالآتي

أقامت الطالبة الدعوى رقم ١٨٥٩ لسنة ٢٠١٧ أمام محكمة أسرة مصر الجديدة طالبة في ختام صحيفة دعواها الحكم لها بفرض نفقة للصغيرة/ كارما شامل محمد محمد حنفي بجميع أنواعها من مأكل وملبس ومسكن وغيرها وقد تحدد لنظر تلك الدعوى ابتداء جلسة ٢٠١٧/١٢/٢٣ وبذات الجلسة قررت المحكمة الموقرة التأجيل لجلسة ٢٠١٨/٢/١٠ لإعادة إعلان المعلن إليه وعرض الصلح والتحري.

وحيث يهم الطالبة تنفيذ قرار المحكمة فإنها تعيد إعلان المعلن إليه وتعرض عليه الصلح لجلسة ٢٠١٨/٢/١٠.

بناء عليه

أنا المحضر سالف الذكر قد انتقلت وأعلنت المعلن إليه وسلمته أو من ينوب عنه قانونا صورة من أصل الصحيفة وكلفته بالحضور أمام محكمة الحدائق لشئون الأسرة الكائنة بمجمع محاكم مصر الجديدة الكائنة بشارع الحجاز – ميدان المحكمة – مصر الجديدة وذلك أمام الدائرة (١٦) أسرة مصر الجديدة و ذلك من صباح يوم السبت الموافق ٢٠١٨/٢/١٠ وذلك لسماعه الحكم بفرض نفقة للصغيرة/ كارما شامل محمد محمد حنفي بجميع أنواعها من مأكل وملبس ومسكن وغيرها مع إلزامه بالمصروفات ومقابل أتعاب المحاماة .

مع حفظ كافة حقوق الطالبة الأخرى بجميع أنواعها ومشتملاتها.

وكيل الطالبة
المستشار
يحيى عبد المجيد
المحامي